



CITY of ESCONDIDO

PLANNING COMMISSION MEETING

May 23, 2023 at 7:00 PM

Council Chambers: 201 North Broadway, Escondido, CA 92025

WELCOME TO YOUR COMMISSION MEETING

We welcome your interest and involvement in the legislative process of Escondido. This agenda includes information about topics coming before the Commission.

CHAIR

Rick Paul

VICE CHAIR

Katharine Barba

COMMISSIONERS

David Barber
Carrie Mecaro
Barry Speer
Stan Weiler

MINUTES CLERK

Alex Rangel

HOW TO WATCH

The City of Escondido provides one way to watch a Commission meeting:

In Person



201 N. Broadway, Escondido, CA 92025

HOW TO PARTICIPATE

The City of Escondido provides two ways to communicate with the Commission during a meeting:

In Person



Fill out Speaker Slip and Submit to City Clerk

In Writing



<https://escondido-ca.municodemeetings.com>



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TUESDAY, MAY 23, 2023

ASSISTANCE PROVIDED

If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 760-839-4869. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired – please see the City Clerk.





CITY of ESCONDIDO

PLANNING COMMISSION

TUESDAY, MAY 23, 2023

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) April 25, 2023

WRITTEN COMMUNICATIONS

Under state law, all items under Written Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

ORAL COMMUNICATIONS

Under state law, all items under Oral Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.

This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

PUBLIC HEARINGS

Please limit your testimony to three minutes.

- [2.](#) **PROJECT NUMBER / NAME: PL22-0134/PL22-0154 – Ash Street Subdivision and Annexation**

REQUEST: A request for a Tentative Subdivision Map to subdivide approximately 5.09 acres into 20 single-family residential lots with two lettered lots for a biofiltration basin and open space. The Project includes the construction of 20 new single-family detached residences. A Density Bonus is requested that will restrict one of the lots for “very low income” buyers. The project site is currently within the Sphere of Influence of the City of Escondido and Planning Area, and annexation from unincorporated County territory into the City of Escondido is requested. Ancillary to the project, a property at 508 Stanley Avenue would also be annexed into the City of Escondido to obtain sewer service. The proposal includes the adoption of an Initial Study/Mitigated Negative Declaration prepared for the Project.



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CURRENT BUSINESS

3. PROJECT NUMBER / NAME: PL23-0061 – Comprehensive Sign Ordinance Update

REQUEST: A request for the Planning Commission to form a subcommittee to meet and discuss the City’s comprehensive update to Article 66 (“Sign Ordinance”).

4. PL23-0213 – 2023/2024 Planning Division Workplan

REQUEST: Review draft 2023/2024 Planning Division Workplan

PROPERTY SIZE AND LOCATION: N/A

APPLICANT: Development Services Department

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines section 15378(b)(5).

STAFF RECOMMENDATION: None

CITY COUNCIL HEARING REQUIRED: ___YES XNO

5. Building Advisory Board of Appeals

REQUEST: Discussion related to the Building Advisory Board of Appeals

PROPERTY SIZE AND LOCATION: N/A

APPLICANT: N/A

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines section 15378(b)(5).

STAFF RECOMMENDATION: None

CITY COUNCIL HEARING REQUIRED: ___YES XNO

FUTURE AGENDA ITEMS

ORAL COMMUNICATIONS

Under state law, all items under Oral Communications can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda.



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This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

PLANNING COMMISSIONERS REPORT

CITY PLANNER'S REPORT

[6.](#) Tentative Future Agenda

ADJOURNMENT



CITY of ESCONDIDO

PLANNING COMMISSION MINUTES

April 25, 2023 at 7:00 PM
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PLANNING COMMISSION MINUTES

TUESDAY, APRIL 25, 2023

MINUTES

CALL TO ORDER: 7:00 p.m.

FLAG SALUTE: Katharine Barba

ROLL CALL:

Commissioners Present: Katharine Barba, Chair; David Barber, Commissioner; Carrie Mecaro, Commissioner; Barry Speer, Commissioner; and Stan Weiler, Commissioner.

City Staff Present: Adam Finestone, City Planner; Dare DeLano, Senior Deputy City Attorney; Jason Christman, Principal Engineer; Ivan Flores, Associate Planner; Melissa DiMarzo, Assistant Planner I; Alex Rangel, Minutes Clerk.

APPROVAL OF MINUTES: April 11, 2023

Motion carried (5-0) to approve the minutes.

Ayes: Barba, Barber, Mecaro, Speer, and Weiler.

Abstained: None.

Absent: Paul.

WRITTEN COMMUNICATIONS:

None.

ORAL COMMUNICATIONS:

None.

PUBLIC HEARINGS:

1. **CONDITIONAL USE PERMIT AND GRADING EXEMPTION – PHG20-0033/PL22-0216**

REQUEST: A request for a Conditional Use Permit and Grading Exemption for a Licensed Residential Care Facility. The proposal includes the construction of three new buildings for a total square footage of 21,190 square feet, and on-site improvements including, but not limited to, landscaping, off-street parking, trash enclosures, and other associated site improvements. The request also includes a Grading Exemption to construct slopes up to 10'-0" in height within 50' of a property line, and for cut slopes with a steepness of 1.5:1.

PROPERTY SIZE AND LOCATION: The approximately 4.2-acre project site is located on the south side of Reed Road, is located between Reed Road and Wedgewood Avenue, addressed at 2525 Reed Road (APN: 231-230-42-00). The project site is located in an urbanized area and surrounded by residential development on all sides.



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ENVIRONMENTAL STATUS: The Project is categorically exempt pursuant to California Environmental Quality Act Guidelines section 15332 (In-Fill Development Projects).

APPLICANT: Mt. Everest Group Inc. and Solaris Capital Group Inc.

STAFF RECOMMENDATION: Approval

PUBLIC COMMENT:

The following members of the public spoke in opposition of the project:

Lily Yates, Ken Smith, David Ruscetta, Allan Ross, Kiera Murphy, Mary Lytch, James Singler, and Tamara Singler.

Harold Peters spoke in favor of the project.

The following members of the public wished to register their position in opposition of the project but did not speak:

David Griffin, Rosa Griffin, Patti Smith, and Cynthia Jesch.

Mary Lytch and Jack Schaffner submitted written comments in opposition of the project.

COMMISSION DISCUSSION:

Commissioners discussed the following aspects of the project: outdoor lighting, erosion control requirements, existing grading conditions, HVAC noise and location, construction timeline, traffic, and general impacts to the neighborhood. Several commissioners stated that they did not believe they had sufficient information related to design of the project.

COMMISSION ACTION:

Motion to deny: Barber

Second: Mecaro

Motion carried 3-2 (Speer and Weiler – No; Paul – Absent)

CURRENT BUSINESS:

1. DESIGN REVIEW FOR A SIGN PERMIT – PL23-0112

REQUEST: Sign Permit for a freestanding sign within the Downtown Specific Plan. The applicant is proposing to obtain the required permits for an existing unpermitted 10-foot high freestanding sign constructed as part of an outdoor dining area for Four Tunas Restaurant.



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PROPERTY SIZE AND LOCATION: The subject property consists of a 0.59 acre parcel within a nine-plus acre Commercial center located on the northwest corner of North Broadway and West Washington Avenue, addressed as 601 N. Broadway (APN: 229-180-69-00).

ENVIRONMENTAL STATUS: The Project is categorically exempt pursuant to the California Environmental Quality Act Guidelines section 15311(a) (Accessory Structures).

APPLICANT: Four Tunas Restaurant

STAFF RECOMMENDATION: Approval

COMMISSION DISCUSSION:

Commissioners discussed the development standards of freestanding vs. wall signage within the Downtown Specific Plan Area.

COMMISSION ACTION:

Motion to approve: Barber

Second: Speer

Motion carried 5-0 (Paul - Absent)

2. DESIGN REVIEW FOR A SIGN PERMIT – PL23-0054

REQUEST: Sign Permit for a 55.22 square foot, changeable electronic copy, freeway-oriented wall sign on a school building within a General Commercial Zone.

PROPERTY SIZE AND LOCATION: The subject property consists of a 1.40 acre parcel located on the north side of West Crest Street, between North Broadway and North Escondido Boulevard, addressed as 220 W. Crest Street (APN: 229-120-67-00).

ENVIRONMENTAL STATUS: The Project is categorically exempt pursuant to the California Environmental Quality Act Guidelines section 15311(a) (Accessory Structures).

APPLICANT: Escondido Adult School

STAFF RECOMMENDATION: Approval

COMMISSION DISCUSSION:

Commissioners discussed the orientation and the visibility of the sign.

Motion to approve: Barber



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Second: Barba

Motion carried 5-0 (Paul - Absent)

FUTURE AGENDA ITEMS:

Commissioner Speer requested, and Commissioner Mecaro concurred, that the Commission discuss the Building Advisory & Appeals Board at a future agenda.

ORAL COMMUNICATIONS:

None.

SELECTION OF CHAIR AND VICE CHAIR:

Selection of Chair:

Commissioner Barber nominated Commissioner Paul. Commissioner Paul accepted the nomination in absentia via written statement to the Commission.

Commissioner Speer nominated Commissioner Weiler. Commissioner Weiler declined the nomination.

Commissioner Speer nominated Chair Barba. Chair Barba declined the nomination.

COMMISSION ACTION:

Commissioners held a general vote for the position of Chair.

Votes for Commissioner Paul: 5 (Barba, Barber, Mecaro, Speer, Weiler).

Absent: Paul.

Commissioner Paul received a majority of votes cast and was selected for the position of Planning Commission Chair.

Selection of Vice-Chair:

Commissioner Barber nominated Commissioner Barba. Commissioner Barba accepted the nomination.

Commissioner Weiler nominated Commissioner Speer. Commissioner Speer accepted the nomination.

COMMISSIONER ACTION:

Commissioners held a general vote for the position of Chair.



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Votes for Commissioner Barba: 3 (Barba, Barber, Mecaro).

Votes for Commissioner Speer: 2 (Speer, Weiler).

Commissioner Barba received a majority of votes cast and was selected for the position of Planning Commission Vice-Chair .

CITY PLANNER'S REPORT:

None.

ADJOURNMENT

Vice-Chair Barba adjourned the meeting at 9:05 p.m.

Adam Finestone, Secretary to the Escondido
Planning Commission

Alex Rangel, Minutes Clerk



STAFF REPORT

May 23, 2023

PL22-0134/PL22-0154 - Ash Street Subdivision and Annexation

PROJECT NUMBER / NAME: PL22-0134/PL22-0154 – Ash Street Subdivision and Annexation

REQUEST: A request for a Tentative Subdivision Map to subdivide approximately 5.09 acres into 20 single-family residential lots with two lettered lots for a biofiltration basin and open space. The Project includes the construction of 20 new single-family detached residences. A Density Bonus is requested that will restrict one of the lots for “very low income” buyers. The project site is currently within the Sphere of Influence of the City of Escondido and Planning Area, and annexation from unincorporated County territory into the City of Escondido is requested. Ancillary to the project, a property at 508 Stanley Avenue would also be annexed into the City of Escondido to obtain sewer service. The proposal includes the adoption of an Initial Study/Mitigated Negative Declaration prepared for the Project.

PROPERTY SIZE AND LOCATION: The approximately 5.09-acre project site is located in the northern portion of the City of Escondido and is bounded by Stanley Avenue to the north, Ash Street to the east, and Lehner Avenue to the south. The project site is addressed at 0 Ash Street (APN: 224-130-10-00)

APPLICANT: Escondido North LLC

PRIMARY REPRESENTATIVE: Dylan Bird and John Kaye (Argus Land Company)

GENERAL PLAN / ZONING: Suburban (S)/Pre-zoned single family residential (PZ-R-1-10; 10,000 sq. ft. minimum lot size)

DISCRETIONARY ACTIONS REQUESTED: Tentative Subdivision Map and Annexation

PREVIOUS ACTIONS: The City Council authorized the intake and processing of the annexation on July 20, 2022.

PROJECT PLANNER: Ivan Flores, AICP, Associate Planner

CEQA RECOMMENDATION: Recommend Adoption of the Final Initial Study/Mitigated Negative Declaration

STAFF RECOMMENDATION: Recommend Approval

REQUESTED ACTION: Approve Planning Commission Resolution No. 2023-09

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS:

- Andrew Firestine, Director of Development Services
- Adam Finestone, City Planner



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BACKGROUND

The project site is approximately 5.09-acres, and is within the County of San Diego. The area consists of existing suburban and semi-rural residential neighborhoods, as well as vacant land. The site is located within the Suburban (S) General Plan land use designation, and is zoned Pre-zone single family residential (PZ-R-1-10; 10,00 square foot minimum lot size). The site, and surrounding parcels, were pre-zoned under a previous annexation effort (86-95-PZ).

SUMMARY OF REQUEST

Escondido North, LLC (“Applicant”) submitted an application for a Tentative Subdivision Map and Annexation to subdivide the Property into 20 single-family residential lots and two lettered lots, as depicted on Exhibit B draft Planning Commission Resolution No. 2023-09, which itself is included as Attachment 5 to this report (“Project”). The single-family lots would accommodate up to 20 new single-family residences. Lot sizes would range from 6,007 square-feet to 9,180 square-feet in size. The lettered lots would be utilized for open space and a stormwater detention basin. The Project site is bounded by Stanley Avenue to the north, North Ash Street to the east, and Lehner Avenue to the west (APN: 224-130-10-00). Separate from the Project, an ancillary property at 508 Stanley Avenue (APN 224-130-45-00) is also requesting annexation, however, no development is proposed at this site (see Attachment 1).

The underlying zoning and General Plan land use designations for the property would allow up to 17 dwelling units (3.3 dwelling units per acre). Article 67 (Density Bonus and Residential Incentives) of the Escondido Zoning Code (EZC), and State Density Bonus law, allow an increase in residential density for projects that restrict a percentage of those base units as affordable housing units. The Applicant proposes to restrict 1 unit for affordable housing to very low-income households (those making less than 50% of the area median income [AMI]) which would permit up to 4 additional units. The Project is also entitled to up to 1 incentive/concession, and can request other waivers to development standards that are necessary to accommodate the construction of the project. The Applicant is only proposing to construct 3 additional units for a total of 20 units (19 market-rate and affordable housing unit), and requests 1 incentive/concession related to the undergrounding of overhead utilities along the Project’s frontage.

Typically, the Planning Commission is responsible for reviewing and approving Tentative Subdivision Maps as outlined in Chapter 32 of the Escondido Municipal Code. In this case, the Planning Commission is making a recommendation to the City Council due to an accompany discretionary action that requires review by the City Council. Here, the request for annexation requires action by City Council, therefore the role of the Panning Commission is to make a recommendation to City Council for approval or denial of both the Tentative Subdivision Map and the Annexation request.

SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 5.09 acres



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2. Number of Units:	20 units	
	<u>Minimum Required</u>	<u>Provided</u>
3. Unit Size:	N/A	N/A*
4. Minimum Lot Area:	10,000 square-feet	6,007 square-feet**
5. Density:	3.3 DUs/acre	3.9 DUs/acre**
6. Lot Coverage/Floor Are Ratio:	40%	50%**
7. Building Height	35'	35'
8. Floor Area Ratio (FAR)	.5	.7**
9. Setbacks:		
a. Front Yard:	15'	10' ** ***
b. Rear Yard:	20'	15' **
c. Side Yard:	5'	5' on either side **
10. Accessory Building Setbacks:	Subject to EZC Section 33-102	Same as primary building
11. Parking:	2 covered spaces/unit	2 covered spaces/unit
12. Average Lot Width:	80'	60' **
13. Minimum Street Lot Frontage:	35'	30' **

* Unit size to be determined during Design Review pursuant to Article 64 (Design Review) of the Escondido Zoning Code

** Deviations proposed as part of density bonus request

*** Lot 13 will be the only lot with a 10' front yard setback. All remaining lots will have 15'.

PROJECT ANALYSIS

1. General Plan Conformance:
 - a. Land Use and Community Form:

The City’s General Plan land-use designation for the project site is Suburban (S), allowing single-family residential development up to 3.3 dwelling units per acre. Based on the size of the Property (5.09 acres), the underlying land use designation would allow up to 17 units. The request to subdivide the Property site into 20 lots with a resulting net density (excluding dedicated rights-of-way) of 3.9 units per acre is consistent with the land-use designation as described further below.

State Density Bonus law is codified in Government Code Section 65915 – 65918, and specifically states, “granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, zone change, or other discretionary approval.” As such, regardless of density, the Project is consistent with the provisions of



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the General Plan as long as it complies with State Density Bonus law and Article 67 of the Escondido Zoning Code.

b. Housing Element and “No Net Loss”

The City is taking steps to encourage, promote, and facilitate the development of housing consistent with policies 1.1 and 2.1 of the Housing Element of the General Plan, while accommodating the City’s share of regional housing needs, consistent with Government Code section 65584. No Net Loss Law (Government Code section 65863) ensures development opportunities remain available throughout the planning period to accommodate a jurisdiction’s Regional Housing Needs Allocation (“RHNA”), especially for lower- and moderate-income households. In general, jurisdictions cannot approve new housing at significantly lower densities or at different income categories than was projected in the Housing Element without making specific findings and identifying other sites that could accommodate the units and affordability levels “lost” as a result of the approval. The “no net loss” provisions apply when a site is included in the jurisdiction’s Housing Element’s inventory of sites and is either rezoned to a lower residential density or is approved at a lower residential density than shown in the Housing Element. (Gov’t Code § 65863(b).) The Project is not included in the jurisdiction’s Housing Element’s inventory of sites, and does not include a rezone to a lower residential density.

2. Zoning or Specific Plan Conformance:

The Project consists of the construction of single-family residential units, street improvements, stormwater basins, and open space area. A zone change is not proposed; however, lot sizes will be smaller than those otherwise required in the subject property’s R-1-10 zone, pursuant to State Density Bonus Law and Article 67 of the Escondido Zoning Code. Modifications to other development standards and zoning code requirements necessary to make the provision of affordable housing units feasible have been requested, as described in the Supplemental Details of Request above. Pursuant to Government Code section 65915(e)(1), a city may not “apply any development standards that will have the effect of physically precluding the construction of a development...at the densities or with the concessions or incentives permitted” by Density Bonus Law.

3. Density Bonus and Residential Incentives

Article 67 of the Escondido Zoning Code is intended to encourage and incentivize the production of housing affordable to all segments of the population, consistent with State Density Bonus law. At a high level, a density bonus project is permitted to build more units than would otherwise be permitted on a particular property in exchange for restricting a percentage of those units for moderate, low, or very-low income households. The increase in density is based on the



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percentage of units restricted and the income level at which they are restricted for. A density bonus project is also entitled to up to three incentives or concessions, which are defined in Government Code section 65915(k), in part, to include “[a] reduction in site development standards or a modification of zoning code requirements or architectural design requirements... that results in identifiable and actual cost reductions...” A density bonus project is allowed a maximum increase in density of 50% and a maximum of three incentives or concessions. Additionally, density bonus projects are entitled to waivers from development standards which would have the effect of physically precluding the construction of the proposed density bonus project. For reference, Article 67 of the Escondido Zoning Code can be found at the following link: https://library.qcode.us/lib/escondido_ca/pub/municipal_code/item/chapter_33article_67?view=all.

The Applicant has submitted a *Density Bonus Project Proposal* (“Proposal”) which outlines their request. It has been updated several times, most recently on February 13, 2023 to address issues that have been identified through the entitlement process, and is included as Attachment 2 to this staff report. The Proposal includes a density bonus calculation which identifies the number of units/lots that could be created on the parcel based on the General Plan land use designation, and how many density bonus units could be gained based on the number of affordable housing units that would be provided. As shown in the Proposal, the property could accommodate 17 dwelling units, and by reserving 1 of them (5.88%) as affordable units for very low-income households (those making less than 50% of the AMI, adjusted for household size), the project could ultimately yield up to 4 bonus units (20% increase in density). While this would allow the Applicant to provide up to 21 units, the Project only proposes 20 units.

The Applicant has also requested one incentive or concession for the Project. Specifically, they have requested that the City eliminate the requirement to underground the existing overhead lines along the Project’s frontage. Article 3 (Undergrounding) of Chapter 23 (Streets and Sidewalks) in the Escondido Municipal Code (EMC), requires new development projects to underground all utility distribution facilities, including cable television and communication facilities. The EMC provides that in certain situations a developer may pay a fee in-lieu of undergrounding. In this case, the applicant is requesting that the City eliminate the requirement to underground, and, consequently, no in-lieu fee would be required. Based on State Density Bonus law, the applicant is entitled to one incentive or concession which would include the Applicant’s request. The plans attached the resolution do not reflect this request, and the applicant will be responsible for providing updated plans prior to issuance of any permits.

4. Annexation:

As part of the annexation process, the Applicant surveyed other property owners in the nearby unincorporated County of San Diego to determine if they had any interest in annexing into the City along with the parcel that would be annexed as a part of the Project. The City received one



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response in favor of joining the annexation, for a property located at 508 Stanley Avenue. Should the Project be approved by the City Council, annexation would be subject to approval by the Local Agency Formation Commission (LAFCO) prior to Final Map recordation. The City Council's approval would authorize the Applicant to apply for annexation to LAFCO on the City's behalf.

5. Climate Action Plan Consistency:

The Applicant prepared and submitted a Climate Action Plan Checklist, and is screened out of additional Greenhouse Gas Analysis based on the project type. Projects that are screened out are assumed to have a less than significant impact on GHG emissions. The screening threshold for single family uses is 36 dwelling units, and the Project is only proposing 20 dwelling units. As such, the Project has been determined to be consistent with the Climate Action Plan.

6. Site Design

a. Subdivision Design, Access and Parking:

The Applicant proposes to subdivide the property into 20 single-family residential lots ranging in size from 6,007 square-feet to 9,180 square-feet, with the average size being 7,549 square-feet. The Project will take access via a new public street with its entrance on Lehner Avenue. The public street would terminate in a cul-de-sac which is typical of a suburban street grid.

The Project would be required to dedicate 8 feet of land on the north side of Lehner Avenue as public right-of-way. Required public right-of-way along all other Project frontages already exists, and all streets would be improved to their ultimate half-street width with curb, gutter, and sidewalk on the Project-side of the streets, as required by city standards.

The Project includes two letter lots for a biofiltration basin (Lot A) and open space (Lot B). The open space lot is approximately 16,919 square-feet and will be undisturbed due to an existing San Diego County Water Authority easement for a buried pipe. The biofiltration basin is located adjacent to Lehner Avenue and will have access from within the subdivision, and via a driveway on Lehner Avenue.

Even though Density Bonus law would allow for a reduction in the number of required on-site parking spaces, the Project would provide two covered parking spaces for each unit in accordance with Article 39 (Off-Street Parking) of the Escondido Zoning Code. Additional parking would be available in the driveways for most of the single-family residences. On-street parking within the Project site would be allowed except along cul-de-sacs, where parking would be prohibited in order to provide the necessary turning



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radius for fire trucks. A condition of approval would be applied to the project requiring driveways on the internal street to be located in a manner to allow the greatest number of onstreet parking spaces possible. Parking would also be permitted be on the external public streets (Stanley Avenue, Lehner Avenue, and Ash).

b. Grading:

The existing high-point of the Property is at the northerly property line adjacent to Stanley Avenue, with the property generally sloping down from north to south from that point. Grading would consist of a combination of cut and fill slopes to provide relatively flat pads for the new lots. The largest cut slope would be approximately a maximum of 8'-0" in height, and is adjacent to Stanley Avenue, and a fill slope is proposed adjacent to Lehner Avenue with a maximum height of 7'-6" for the bio-infiltration basin. The grading of the site will be designed in accordance with Article 55 (Grading and Erosion Control) of the EZC.

c. Open Space and Landscaping

As required by Chapter 32 (Subdivisions) of the EMC, a conceptual landscape plan was provided by the applicant. The applicant is proposing a combination of trees and shrubs for the development including but not limited to: *Rhus lancea* ("African Sumac") and *Laurus Nobilis* ("Sweet Bay") for the perimeter parkways on Lehner Avenue and Stanley Avenue and as street trees along Street "A"; *Quercus Agrifolia* ("Coast Live Oak") and *Salix Lasiolepis* ("Arroyo Willow") for the detention basin and the slopes; and, *Prunus Caroliniana* ("Carolina Laurel Cherry") for the individual lots. Due to an existing San Diego County Water Authority (SDCWA) easement on Lot B, no landscaping or trees are proposed for this area.

d. Phasing of Development:

The Applicant has indicated to staff that they do not intend to construct the project themselves. Rather, they would sell the project for construction by a different entity. This is common for development projects due to areas of expertise, with some developers focusing on processing entitlements of land and others with more experience in actual construction.

As discussed in Attachment 2, the Applicant has stated that the affordable housing unit would be developed by Habitat for Humanity, a non-profit organization with expertise in construction and management of affordable housing projects. Upon completion of construction, Habitat for Humanity would be responsible for identifying and qualifying prospective buyers of the affordable housing unit. A deed restriction would be placed on



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that unit to ensure that future sales of the unit is limited to low-income households for a period of 55 years. The restrictions would be included in an affordable housing agreement that would be recorded concurrently with the final map for the project.

Because the Project has requested an increase in allowable density pursuant to State Density Bonus Law and Article 67 of the Escondido Zoning Code, it is important to ensure that the affordable housing unit be constructed in a timely manner. As a residential subdivision where the affordable unit is anticipated to be constructed by a different developer than the market-rate units, assurances must be put in place to ensure that the City receives the benefits derived from the provision of affordable housing prior to construction of the market-rate units in a quantity which exceeds that which would otherwise be permitted on the Property. Development of the Property could yield up to 17 units absent the density bonus. As such, conditions would be placed on approval of the Project that would require the issuance of a certificate of occupancy for the affordable housing unit prior to issuance of the building permit for the 17th market rate unit.

FISCAL ANALYSIS

The proposed Project is a private development project that will require the payment of fees in effect at the time permits are requested. As part of the overall decision-making process to move forward with a proposed development project, it is important to evaluate the contributions and demands that development will place upon a public agency's general fund and the city or county's ability to provide ongoing public services. To avoid the need for a city or county to subsidize new development, cities and counties can establish or require special funding mechanisms to ensure that new development pays for itself.

Community Facilities District ("CFD") No. 2020-1, Citywide Services, was formed by the City Council on May 13, 2020. The special tax that will be assessed on properties as a result of the development of new residential units is based upon the Fiscal Impact Analysis (FIA) that was prepared to support the creation of CFD No. 2020-01. Developers to whom these residential project entitlements are assigned are responsible to establish a funding mechanism to provide a source of funds for the ongoing municipal services required for the project. The benefit of entering CFD No. 2020-01 is that the annexation process is significantly streamlined, which saves staff time and costs to developers.

At the time of this writing, an applicant is required to fully offset potential impacts to the General Fund created by their project. This can be accomplished through either formation of a CFD, annexation into CFD No. 2020-01, or establishment of another lawful funding mechanism reasonably acceptable to the City ("Public Services Funding Agreement"). Should an applicant desire to utilize the streamlined process available through annexation into CFD No. 2020-01, they would be required to sign a Letter of Intent ("LOI") to do so, which serves as their authorization to annex. The Applicant declined to sign an LOI because they intend to sell the entitled Project to another developer. This would allow that developer an



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opportunity to decide whether they want to join citywide CFD No. 2020-1 or explore different options for the funding of on-going public services. A Letter of Intent to Offset and Fund Ongoing Public Services has been provided by the applicant to this effect and is included with this staff report as Attachment 3. Additionally, a condition of approval has been included as part of Exhibit “E” to draft Planning Commission Resolution No. 2023-09 to reflect the requirement to establish a funding mechanism as described above prior to recordation of the Final Map. (It should be noted, however, that the City Council has directed staff to look at the current policy and bring back recommendations that may modify this requirement.)

If the future developer opts to annex into CFD No. 2020-01, the Project would fall into Category 1. The current rate for Category 1 is \$575.19 per unit through the end of this fiscal year (June 30, 2023), subject to annual adjustments which currently are based on the Consumer Price Index or 2%, whichever is greater. The total annual cost for the 20-unit Project would be approximately \$11,504. If annexation into CFD No. 2020-01 is the way by which the developer opts to provide the ongoing services.

ENVIRONMENTAL ANALYSIS

The California Environmental Quality Act (CEQA) applies to proposed projects initiated by, funded by, or requiring discretionary approvals from state or local government agencies. CEQA Guidelines Section 15367 states that a lead agency, in this case, the City of Escondido, is the agency that has the principal responsibility for carrying out or approving a project and is responsible for compliance with CEQA. As lead agency, the City must complete an environmental review to determine if implementation of the Project would result in significant adverse environmental impacts. In compliance with CEQA, an Initial Study (“IS”) was prepared to assist in making that determination. Based on the nature and scope of the Project and the evaluation contained in the IS environmental checklist, the City has concluded that a Mitigated Negative Declaration (“MND”) is the appropriate level of analysis for the Project.

As provided in CEQA Statute Section 21064.5, and stated in CEQA Guidelines section 15070, an MND can be prepared when “(a) the initial study shows that there is not substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or (b) the initial study identifies potentially significant effects, but (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.” The MND prepared for the Project identified potentially significant impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Noise, and Tribal Cultural Resources. However, through incorporation of mitigation measures, the impacts can be reduced to a less-than-significant level.

A Draft IS/MND was released for a 20-day public review period from March 30, 2023 to April 19, 2023. Two comment letters were received, and identified the inclusion of an affordable unit as an area of concern. Responses to those comments were prepared and have been incorporated into a Final IS/MND.



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The Final IS/MND has identified no new environmental impacts which have not been addressed through the aforementioned mitigation measures. The Final IS/MND has been included as Exhibit “F” to Planning Commission Resolution No. 2023-09.

PUBLIC INPUT

In addition to public notification provided when the Draft IS/MND was released for public review, notification of this public hearing was provided consistent with the requirements of both the Escondido Zoning Code and the State Law. Additionally, because the Project includes a request for annexation, surveys were provided to property owners in the surrounding unincorporated County of San Diego as described in the Annexation section above. The City received one comment from a neighboring property with their main concerns being privacy, and the location of the stormwater basin (Attachment 4). Beyond these comments, staff has not received any correspondence from the public regarding the Project as of the publication of this report.

CONCLUSION AND RECOMMENDATION

The Project proposes a residential subdivision that is compatible with the surrounding uses and makes efficient use of the Property. Additionally, the Project would include much-needed affordable housing and provide opportunities for home-ownership in a suburban setting where such housing is not typically available. The project is consistent with the provisions of Article 67 of the Escondido Zoning Code and State Density Bonus law.

Staff recommends that the Planning Commission adopt Resolution 2023-09, recommending City Council approval of the Tentative Subdivision Map, and Annexation, based on the findings of fact and conditions of approval included as Exhibits “D” and “E,” respectively, to said Resolution, and adoption of the Mitigated Negative Declaration prepared for the Project included as Exhibit “F” to said Resolution.

ATTACHMENTS

1. Location, General Plan Map, and Zoning
2. Density Bonus Proposal (revised February 13, 2023)
3. Letter of Intent to Offset and Fund Ongoing Public Services (signed April 10, 2023)
4. Public Correspondence
5. Draft Planning Commission Resolution No. 2023-09 including Exhibits A, B, C, D, E, and F



CITY of ESCONDIDO

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ATTACHMENT 1



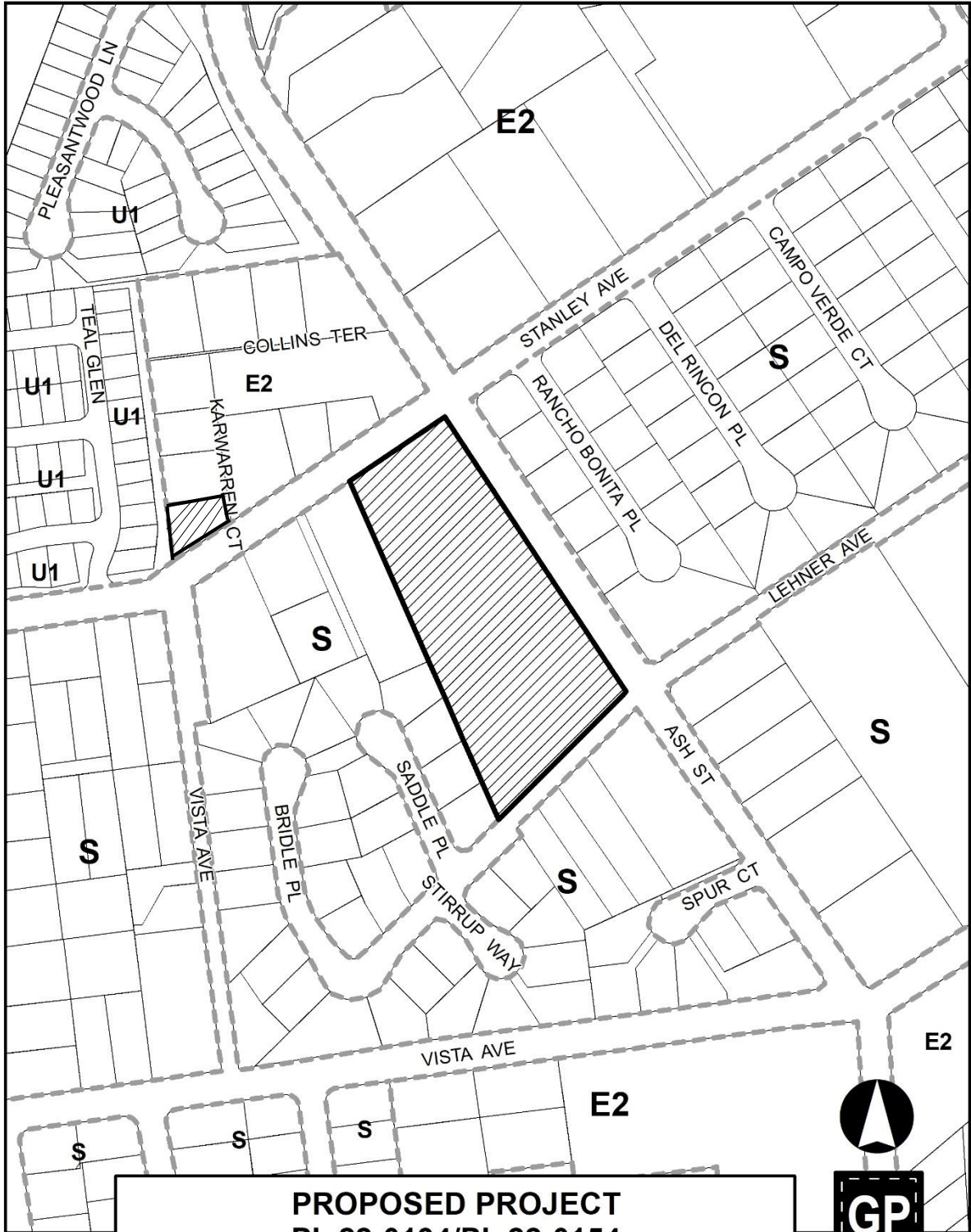
**PROPOSED PROJECT
PL 22-0134/PL 22-0154**

A
AERIAL



CITY of ESCONDIDO

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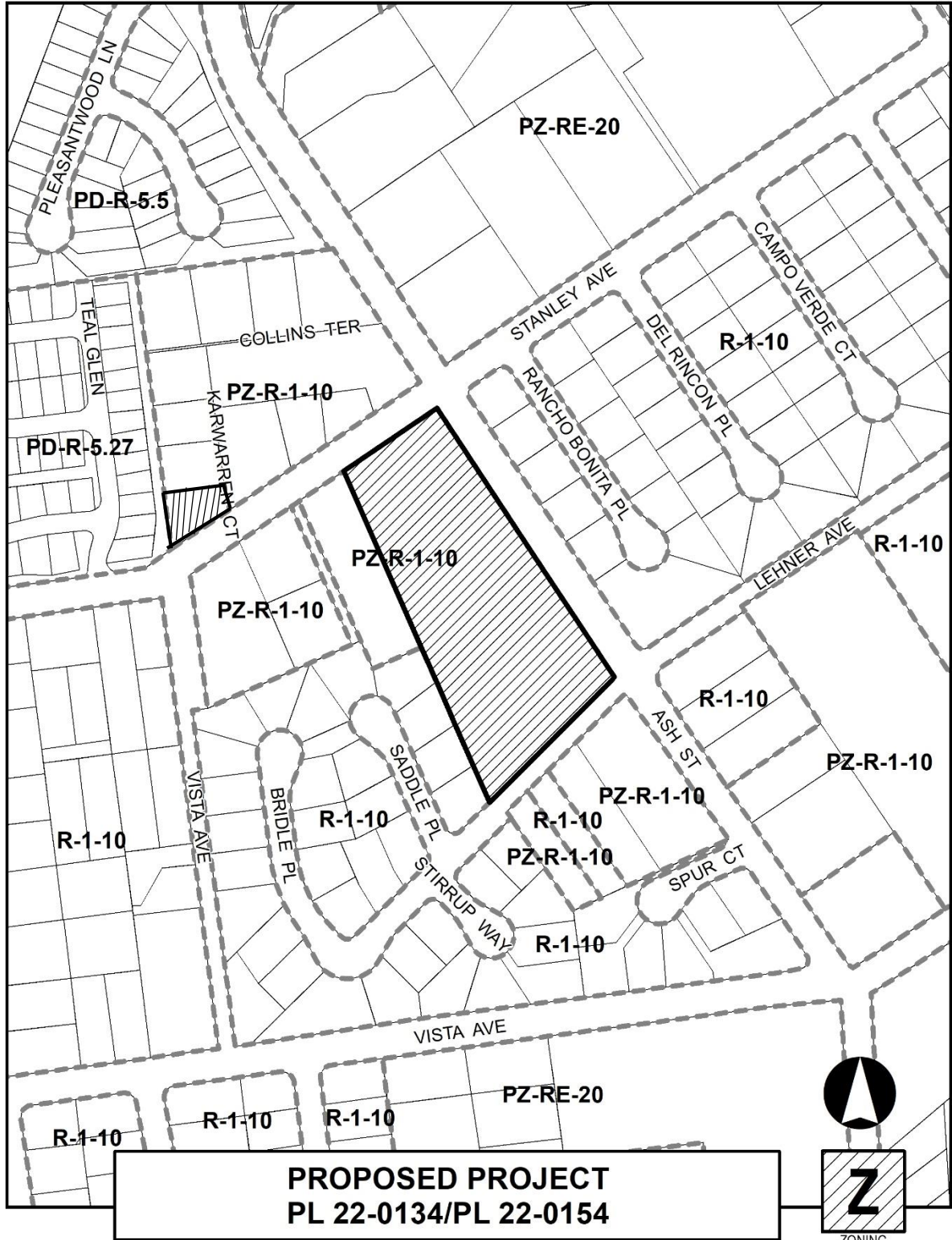
PROPOSED PROJECT
PL 22-0134/PL 22-0154





CITY of ESCONDIDO

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Escondido North LLC

Density Bonus Project Proposal

Revised 2/13/23

Escondido North LLC is proposing the development of a density bonus project consisting of 20 single-family lots. Nineteen are to be market-rate and one is to be designated as affordable being restricted to “very-low-income” buyers. The site consists of one parcel with APN 224-130-10, and lies west of the intersection of North Ash Street and Lehner Avenue, extending from Lehner Avenue to Stanley Avenue. The site is surrounded by new homes as well as older housing stock.

Pursuant to Escondido Municipal Code Sections 33-1412 and 33-1413, the applicant for a density bonus project shall submit a written proposal for the project including the information provided below. This document is intended to satisfy the requirements therein.

Housing costs and market pricing depend on market conditions, including mortgage rates. As such, pricing for the market-rate units would be determined at the time they come to market. By law, pricing for restricted units is based on the area median income and depends on the size of the household. For “very-low-income” units, housing costs cannot exceed 30% of 50% of the area median income for a family of a given size. The restricted pricing would be set accordingly, depending on those factors at the time the home is available.

Habitat for Humanity has expertise in the construction of affordable housing, identification and qualification of buyers, and the sale of affordable housing to them. They would manage and control the construction and sale of the affordable unit, and would be responsible for identifying and qualifying the buyer.

Density Bonus Calculations

The property has a General Plan designation of 3.3 DUs per acre as shown in the table below. In addition to the information required by code (in bold), additional information is included for clarity. Please note that four bonus DUs and 21 total DUs are allowed, as shown in the table, but the project only proposes three bonus DUs and 20 total DUs.

<u>Acres</u>	<u>GP DUs/Ac</u>	<u>GP DUs</u>	Proposed Very Low Income Units	<u>Low-Income DUs As Percent of GP</u>	Density Bonus Permitted	Allowed Density Bonus DUs	Allowed Total DUs	Allowed DUs/Acre
5.09	3.3	17	1	5.88%	20.0%	4	21	4.1

There are not currently any dwelling units on the property nor have there been in the last five years.

Title does not show any recorded covenant, ordinance, or law that has restricted rents on these parcels in the last five years.

[Continued on the next page]

Concessions/Incentives

The proposed project provides one very-low income unit of the General Plan-designated 17 units, or 5.88% very-low income units. Pursuant to Government Code section 65915(d)(2) and EMC Sec. 33-1414(a)(1)(A), a project that provides at least 5% of the units for very-low-income households shall receive one incentive/concession. The incentive/concession proposed is a waiver of the requirement to underground the existing site-adjacent utilities.

Waivers

Pursuant to Government Code section 65915(e)(1), development standards may not be imposed that would preclude the construction of a project that is allowed under the density bonus law. The table below lists changes or waivers to development standards that, if not granted, would physically preclude the construction of the project as designed. All identified development standards fall squarely under the definition of “development standards” in Government Code section 65915(o)(1) which includes “a site or construction condition... that applies to a residential development pursuant to any... policy....”

<u>Concession/ Incentive/ Waiver</u>	<u>Development Standard per General Plan or Fee</u>	<u>Proposed</u>	<u>Justification</u>
Front Yard Setback	15' with street-facing garage to be setback 20'	10' with street-facing garage allowed to be setback 10'	The existing standard would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the setback standard. It would need to be reduced in order for the project to be constructed as designed.
Interior Side Yard Setback	5' on one side (and 10' on the other, unless abutting an alley)	5' on either side	The existing standard would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the setback standard. It would need to be reduced in order for the project to be constructed as designed.
Accessory Building Setback Requirements	Front, side, and rear setback requirements as stated in EMC Sec. 33-102	Any reference in EMC Sec. 33-102 to “underlying” zoning shall be interpreted as the main building’s actual setback which may have been reduced given the setback waivers herein	As the primary dwelling unit may have reduced setbacks, the ADU’s setback would need to be reduced as well. The existing development standard would need to be reduced in order for the project to be constructed as designed.

Min. Lot Area	10,000 SF	6,000 SF	The existing standard would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the lot area standard. It would need to be reduced in order for the project to be constructed as designed.
Avg. Lot Width	80'	60'	The existing standard would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the standard. It would need to be reduced in order for the project to be constructed as designed.
Max Lot Coverage for Primary & Accessory Structures	40%	50%	The existing standards would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the standard when potential ADUs are considered. The standards would need to be increased to a percentage more appropriate for lots of the proposed size.
Max FAR	0.5	0.7	The existing standard would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the standard. The standard would need to be increased to a FAR more appropriate for lots of the proposed size.
Rear Yard Setback	20'	15'	The existing standard would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the standard. It would need to be reduced in order for the project to be constructed as designed.
Lot Width @ Street	35'	30'	The existing standards would preclude construction of the project as designed. The project makes efficient use of the site which results in limited physical area to meet the standard. It would need to be reduced in order for the project to be constructed as designed.

We look forward to providing additional housing, including affordable housing, to the city of Escondido.

April 10, 2023

City of Escondido, Planning Department
ATTN: Mr. Ivan Flores, Associate Planner
201 N Broadway
Escondido, CA 92025

:

Re: Funding of Ongoing Public Services

Dear Mr. Flores:

Escondido North LLC declines to sign a letter of intent (“LOI”) to offset and fund ongoing public services via the citywide CFD because we plan to sell the entitled property and do not know how the buyer will want to approach the options for funding. The builder should decide whether they want to join citywide CFD 2020-1 or explore other options for the funding of public services.

Thank you,

Escondido North LLC

By: Argus Flatiron Management LLC, its Manager

By: 
Dylan Bird, Manager

Ivan Flores

From: Hossein Gouran <hgouran@ucdavis.edu>
Sent: Monday, May 15, 2023 9:50 PM
To: Ivan Flores
Subject: ASH RESIDENTIAL SUBDIVISION – PL22-0134/PL22-0154

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Flagged Follow-Up

You don't often get email from hgouran@ucdavis.edu. [Learn why this is important](#)

Dear Mr. Flores,

I hope this email finds you well. I am writing to express my deep concern regarding the proposed construction plan to subdivide and build single-family homes on the empty lot adjacent to my residence in the City of Escondido. I strongly object to any plan that significantly impacts our view, privacy, as well as the wildlife habitat within this lot. Additionally, I would like to request a detailed plan regarding the development of the water basin located behind our backyard wall, including any potential future development plans.

Our property has enjoyed an unobstructed view that has brought us great joy and added value to our home. We have cherished the scenic vista that contributes to our quality of life and the overall aesthetics of our neighborhood. However, the proposed construction project would obstruct our view, significantly diminishing our enjoyment of our property and the visual appeal of the area. Therefore, I kindly request the City of Escondido to reconsider the proposed construction plan and explore alternative solutions that minimize any negative impact on our view, preserving the character and value of our property and neighborhood.

Furthermore, the construction of single-family homes adjacent to ours raises concerns about privacy infringement. We value the peacefulness and seclusion of our current surroundings, and we strongly believe that the proposed development would infringe upon our privacy rights as homeowners. We kindly urge the city to consider appropriate setbacks, landscaping requirements, or design guidelines that would help mitigate any adverse effects on our privacy and maintain the peaceful nature of our community.

In addition to these concerns, I am also requesting a detailed plan regarding the development of the water basin located behind our backyard wall. As residents living in close proximity to this feature, we are interested in understanding any current or future plans for the water basin. Transparency and information regarding the potential development or alterations to the water basin will allow us to better understand the impact on our property and the surrounding environment.

I trust that the City of Escondido recognizes the importance of addressing these concerns and providing residents with relevant information. I appreciate your attention to these matters and kindly request that you share with me the detailed plan for the water basin's development, including any future development plans, if available.

Thank you for your prompt attention to this matter. I look forward to receiving the requested information and a favorable resolution that respects the needs of both the community and the environment.

Yours sincerely,

Hossein Gouran
512 Saddle Pl
Escondido, CA 92026

Planning Commission
Hearing Date: May 23, 2023

Effective Date: May 24, 2023

PLANNING COMMISSION RESOLUTION NO. 2023-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A 20-LOT TENTATIVE SUBDIVISION MAP, ANNEXATION, AND ADOPTION OF A MITIGATED NEGATIVE DECLARATION PREPARED FOR THE PROJECT

APPLICANT: Escondido North, LLC (Argus Land Company Inc.)

CASE NO: PL22-0134 and PL22-0154

WHEREAS, Escondido North, LLC (“Applicant”) filed a land use development application, Planning Case Nos. PL22-0134 and PL22-0154 (“Application”), constituting a request for a Tentative Subdivision Map for a 20-unit residential project. The project also includes an annexation of the 5.09-acre site into the City of Escondido (“Project”). The Project site is located along Ash Street and is bounded by Stanley Avenue to the north, Ash Street to the east, and Lehner Avenue to the south, has a pre-zoning designation of PZ-R-1-10 (single-family residential, 10,000 square foot minimum lot size), and is addressed at 0 Ash Street (APN:224-130-10-00). Separate from the Project, an ancillary property at 508 Stanley Avenue (APN:224-130-45-00) has also requested annexation; and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as though fully set forth herein ("Property"); and

WHEREAS, the Application was submitted to, and processed by, the Planning Division of the Development Services Department in accordance with the rules and regulations of the Escondido Zoning Code and the applicable procedures and time limits specified by the Permit Streamlining Act (Government Code section 65920 et seq.) and the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"); and

WHEREAS, single-family residential development is a permitted use within the R-1-10 zone, subject to the approval of a Tentative Subdivision Map, in accordance with Chapter 32 of the Escondido Municipal Code and Article 6 of the Escondido Zoning Code; and

WHEREAS, pursuant to CEQA and the CEQA Guidelines (Title 14 of California Code of Regulations, Section 15000 et. seq.), the City is the Lead Agency for the Project, as the public agency with the principal responsibility for approving the proposed Project; and

WHEREAS, the Planning Division studied the Application, performed necessary investigations, prepared a written report, and hereby recommends approval of the Project as depicted on the plan set shown in Exhibit "B," which is attached hereto and made a part hereof by this reference as though fully set forth herein; and

WHEREAS, City staff provided public notice of the application in accordance with City and State public noticing requirements; and

WHEREAS, a Draft Initial Study and Mitigated Negative Declaration (“IS/MND”) was prepared, circulated, and notice made of its availability for public review and comment during the period from March 30, 2023 to April 19, 2023; and

WHEREAS, during the 20-day public comment period of the Draft IS/MND, the City consulted with and requested comments from responsible and trustee agencies, other regulatory agencies, and others. The City subsequently analyzed and considered any and all comments received during this public review comment period. Responses to said comments have been provided, and no corrections/additions to the Draft IS/MND were necessary; and

WHEREAS, in addition to the Final IS/MND, a Mitigation Monitoring Reporting Program (“MMRP”) has been prepared for the Project, attached as Exhibit “C” and incorporated herein by this reference, to ensure compliance with the required mitigation measures or project revisions during project implementation; and,

WHEREAS, on May 23, 2023, the Planning Commission held a duly noticed public hearing as prescribed by law, at which time the Planning Commission received and considered the reports and recommendation of the Planning Division and gave all persons full opportunity to be heard and to present evidence and testimony regarding the Project. Evidence was submitted to and considered by the Planning Commission, including, without limitation:

- a. Written information including plans, studies, written and graphical information, and other material, submitted by the Applicant;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated May 23, 2023, with its attachments as well as City staff's recommendation on the Project, which is incorporated herein as though fully set forth herein; and
- d. Additional information submitted during the public hearing; and

WHEREAS, the public hearing before the Planning Commission was conducted in all respects as required by the Escondido Municipal Code and the rules of this Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Escondido that:

1. The above recitations are true and correct.
2. The Planning Commission, in its independent judgement, has carefully reviewed and considered all environmental documentation comprising the Final IS/MND prepared for the project and has determined that the City has made a good-faith effort to adequately address all environmental issues associated with the project. The Final IS/MND, as so amended and evaluated, is adequate and provides good-faith disclosure of available information on the project to determine whether there is substantial evidence that the Project would result in any significant effects. All of the requirements of CEQA have been met.

3. The MMRP identifies mitigation measures necessary to reduce all impacts to a less-than-significant level, and assigns on-going responsibility for carrying out mitigation responsibilities which are appropriate to address and mitigate project-related impacts.
4. After consideration of all evidence presented, and studies and investigations made by the Planning Commission and on its behalf, the Planning Commission makes the substantive findings and determinations attached hereto as Exhibit "D," relating to the information that has been considered. In accordance with the Findings of Fact and the foregoing, the Planning Commission reached a recommendation on the matter as hereinafter set forth.
5. The Application to use the Property for the Project, subject to each and all of the conditions hereinafter set forth in Exhibit "E," is hereby recommended for approval by the City Council. The Planning Commission expressly declares that it would not have recommended approval of this Application except upon and subject to each and all of said conditions, each and all of which shall run with the land and be binding upon the Applicant, the owner, and all subsequent owners of the Property, and all persons who use the Property for the use permitted hereby.

6. The Planning Commission recommends that the City Council adopt the Final IS/MND, attached as Exhibit "F," which is incorporated herein as though fully set forth herein.
7. The development plans for the Project are on file in the Planning Division of the Development Services Department and are available for inspection by anyone interested herein, and the development plans are incorporated herein by this reference as if they were fully set forth herein. The Project is recommended for conditional approval as set forth on the Application and Project drawings, all recommended for approval by the City Council, and which shall not be altered without the express authorization by the Planning Division. Any deviations from the approved development plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.

BE IT FURTHER RESOLVED that, pursuant to Government Code section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the Project is subject to dedications, reservations, and exactions, as specified in the Conditions of Approval. The Project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development and Public Works Departments. The Applicant shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued. It is the City's intent that the costs representing future development's share of public facilities and capital

improvements be imposed to ensure that new development pays the capital costs associated with growth. The Applicant is advised to review the Planned Fee Updates portion of the web page, www.escondido.org, and regularly monitor and/or review fee-related information to plan for the costs associated with undertaking the Project.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution, and any such protest must be in a manner that complies with Government Code section 66020.

PASSED, ADOPTED, AND APPROVED by a majority vote of the Planning Commission of the City of Escondido, California, at a regular meeting held on the 23rd day of May, 2023, by the following vote, to wit:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAINED: COMMISSIONERS:
ABSENT: COMMISSIONERS:

RICK PAUL, Chair
Escondido Planning Commission

ATTEST:

ADAM FINESTONE, Secretary of the
Escondido Planning Commission

I hereby certify that the foregoing Resolution was passed at the time and by the vote above stated.

Alex Rangel, Minutes Clerk
Escondido Planning Commission

Decision may be appealed to City Council pursuant to Zoning Code Section 33-1303

Exhibit A

Legal Description

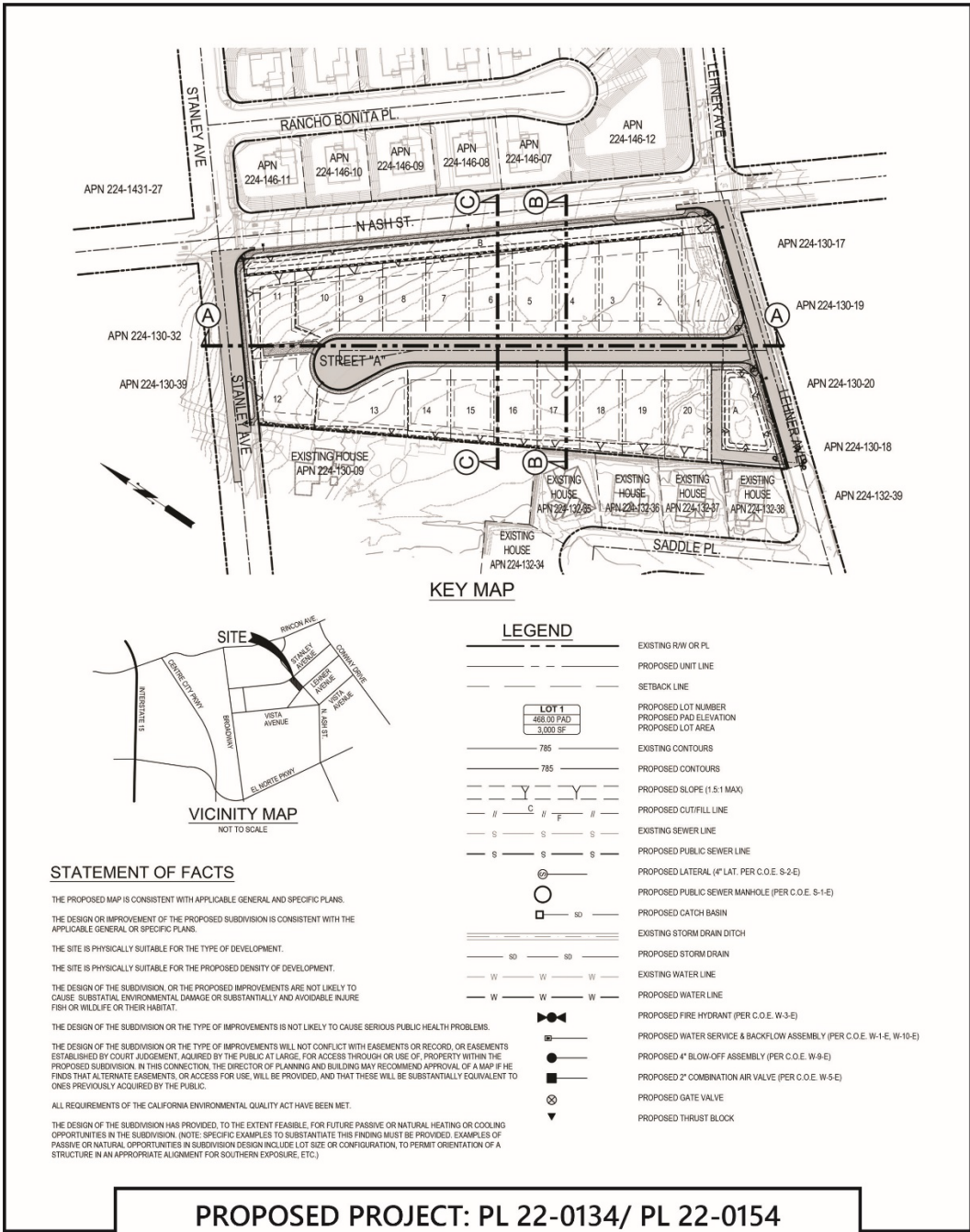
Real property in the unincorporated area of the County of San Diego, State of California, described as follows:

ALL THOSE PORTIONS OF LOTS "N" AND "O" OF THE RESUBDIVISION OF BLOCKS 418 AND 419 OF THE RANCHO RINCON DEL DIABLO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1520, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 21, 1913, DESCRIBED AS FOLLOWS:

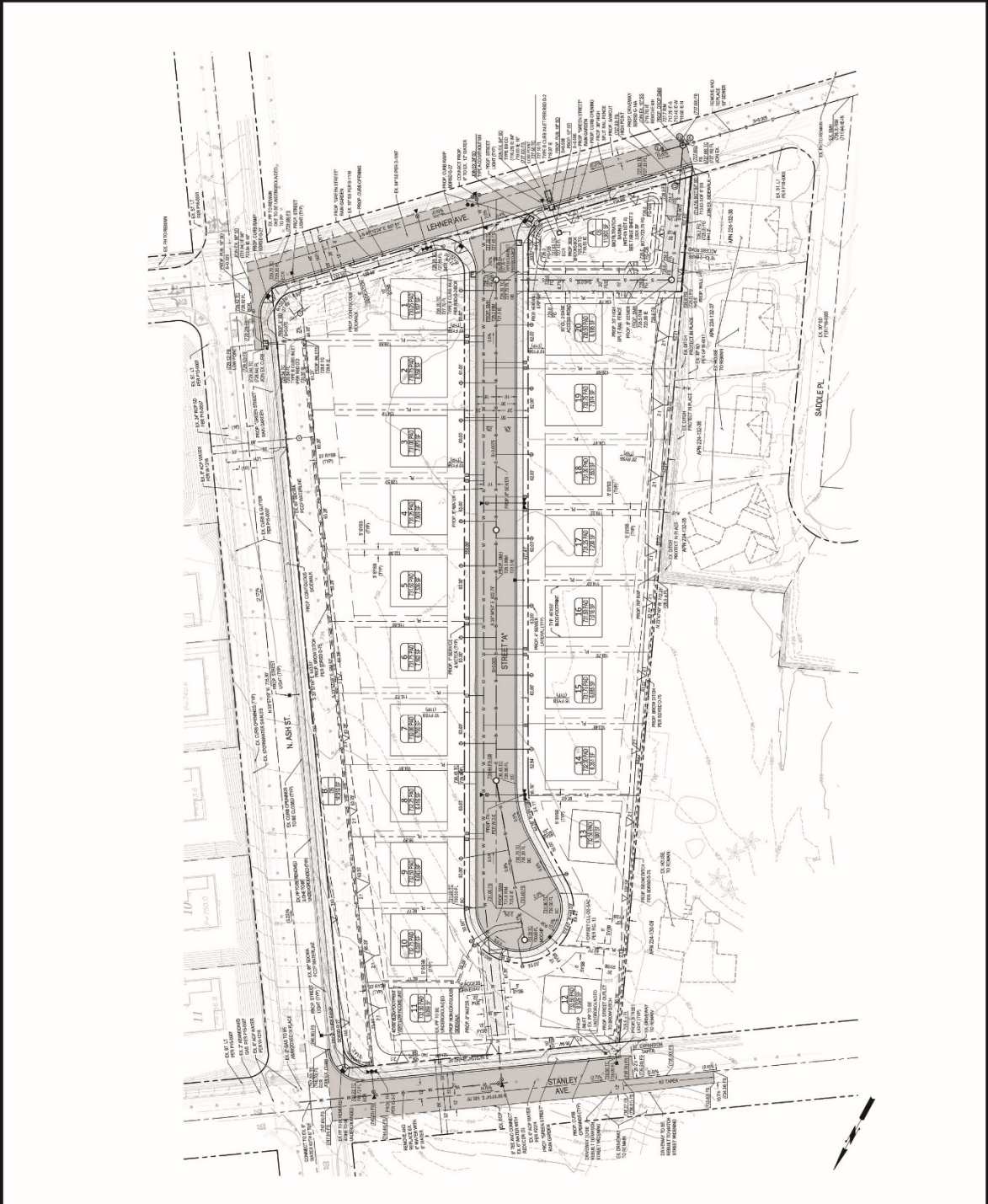
COMMENCING AT A POINT ON THE SOUTHEASTERLY BOUNDARY LINE OF SAID LOT "O" FROM WHICH THE MOST EASTERLY CORNER OF SAID LOT "N" BEARS NORTH 44°49' EAST A DISTANCE OF 385 FEET FOR THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHEASTERLY BOUNDARY LINE OF SAID LOTS "N" AND "O" TO THE MOST EASTERLY CORNER OF SAID LOT "N" A DISTANCE OF 385 FEET; THENCE NORTH 34°24' WEST ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID LOT "N" A DISTANCE OF 688.7 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT "N"; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID LOT "N" A DISTANCE OF 242 FEET TO A POINT ON SAID NORTHWESTERLY BOUNDARY LINE; THENCE IN A STRAIGHT LINE TO THE POINT OF BEGINNING.

APN: 224-130-10-00

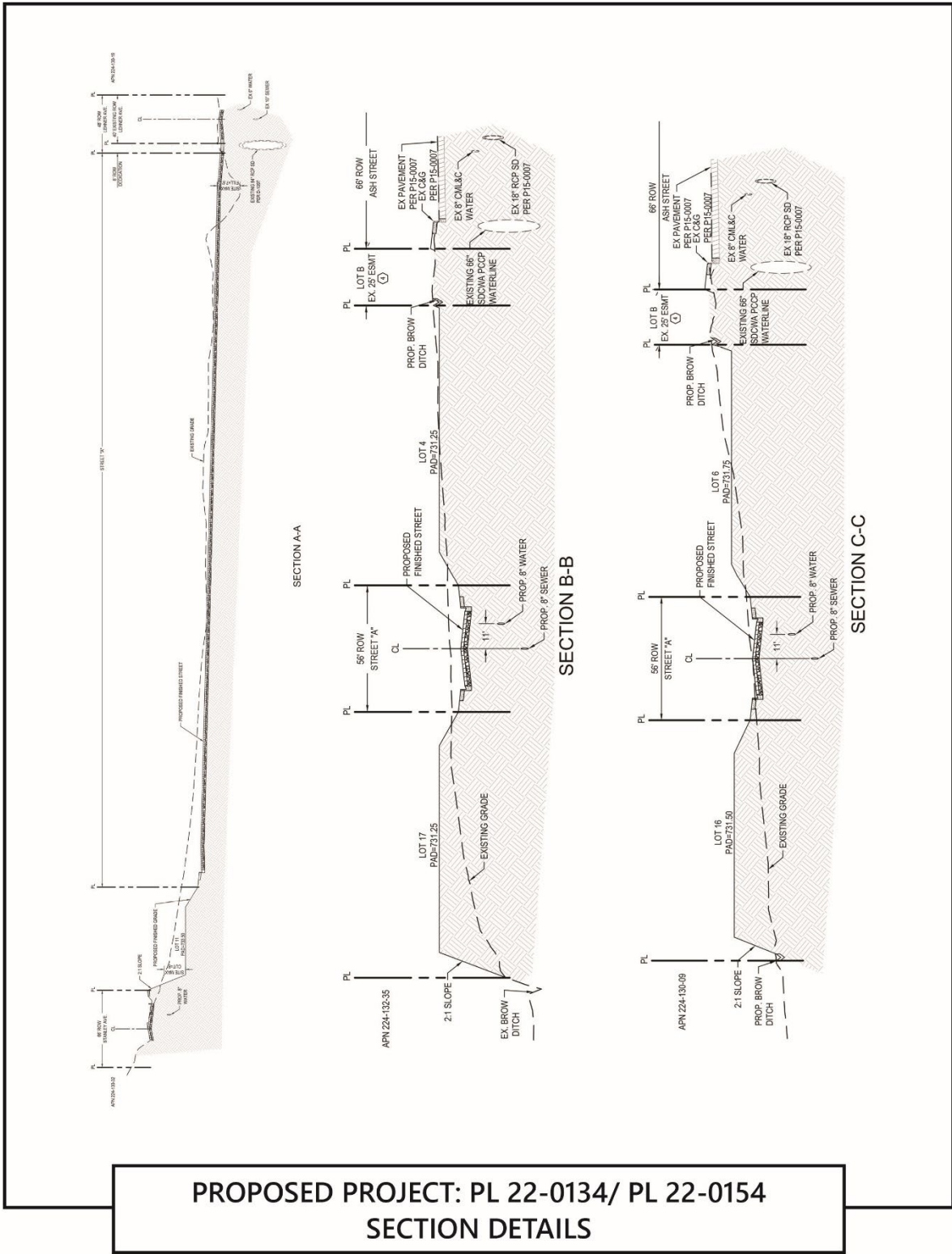
Exhibit B PLAN SET

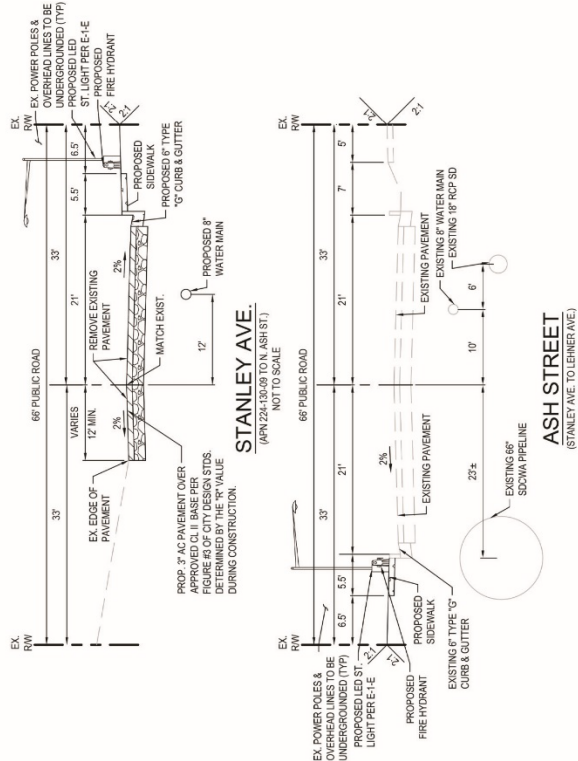
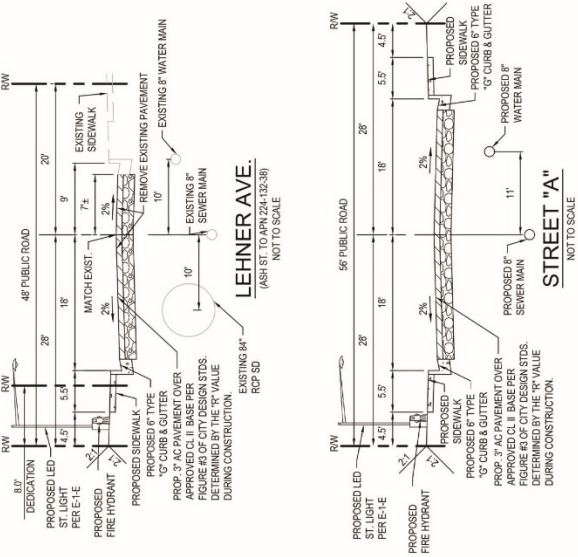


**PROPOSED PROJECT: PL 22-0134/ PL 22-0154
KEY MAP**



**PROPOSED PROJECT: PL 22-0134/ PL 22-0154
OVERALL SITE PLAN**





**PROPOSED PROJECT: PL 22-0134/ PL 22-0154
STREET DETAILS**

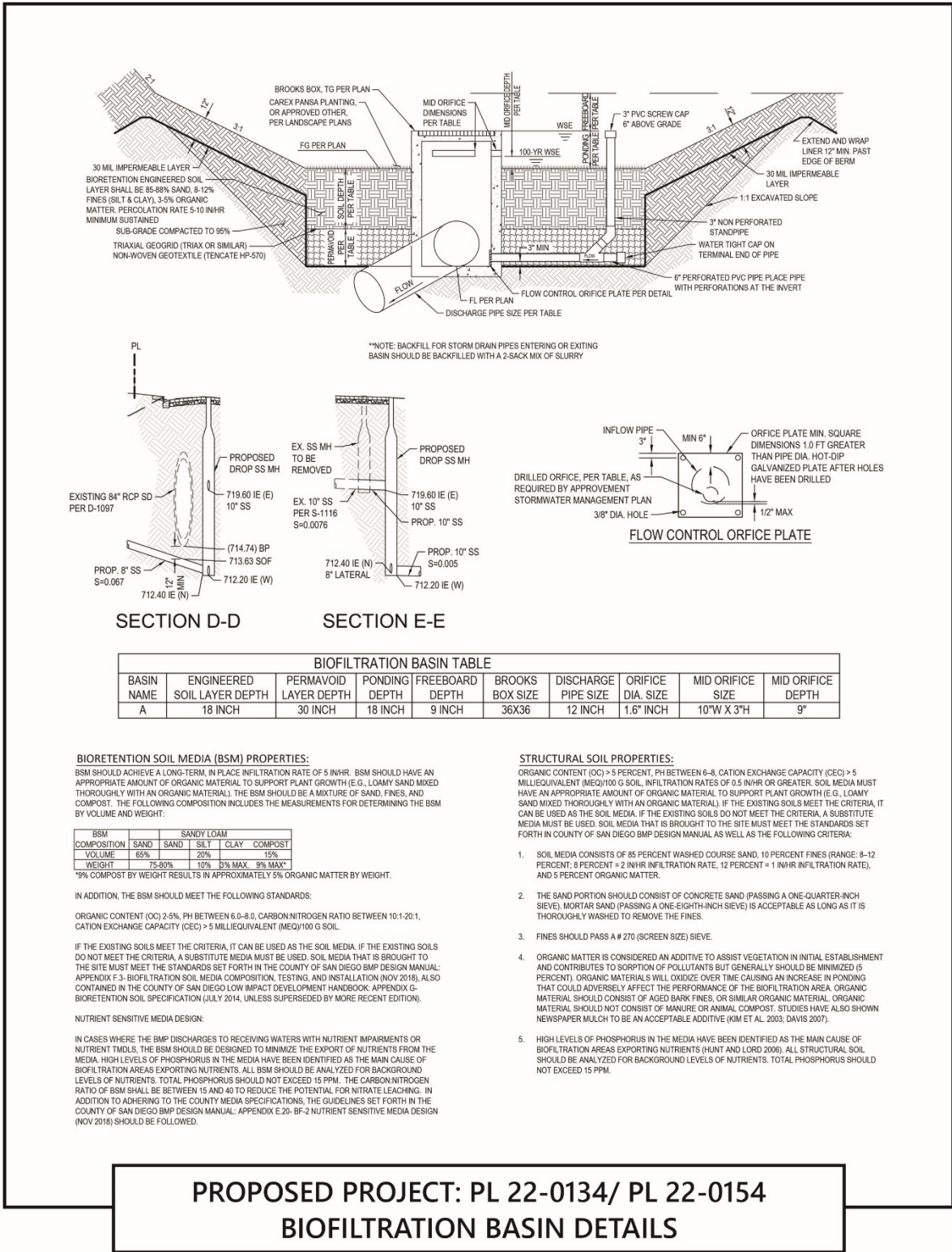
EASEMENTS

- ITEMS 1 AND 2 ARE NON-MAPPING ITEMS AND THEREFORE ARE NOT SHOWN HEREON.
- ③ CITY OF ESCONDIDO HOLDER OF AN EASEMENT FOR WATER PURPOSES, RECORDED DECEMBER 30, 1987 AS INSTRUMENT NO. 87-0712928 OF OFFICIAL RECORDS, TO BE QUITCLAIMED.
 - ④ SAN DIEGO COUNTY WATER AUTHORITY HOLDER OF AN EASEMENT FOR RIGHT OF WAY, RECORDED APRIL 24, 1964 AS INSTRUMENT NO. 61-74532 OF OFFICIAL RECORDS.
 - ⑤ COUNTY OF SAN DIEGO HOLDER OF AN EASEMENT FOR SLOPE AND DRAINAGE FOR COUNTY HIGHWAY AND INCIDENTAL PURPOSES, RECORDED DECEMBER 27, 2006 AS INSTRUMENT NO. 2006-0914466 OF OFFICIAL RECORDS, TO BE QUITCLAIMED.
- ITEMS 10 THROUGH 14 ARE NON-MAPPING ITEMS AND THEREFORE ARE NOT SHOWN HEREON.

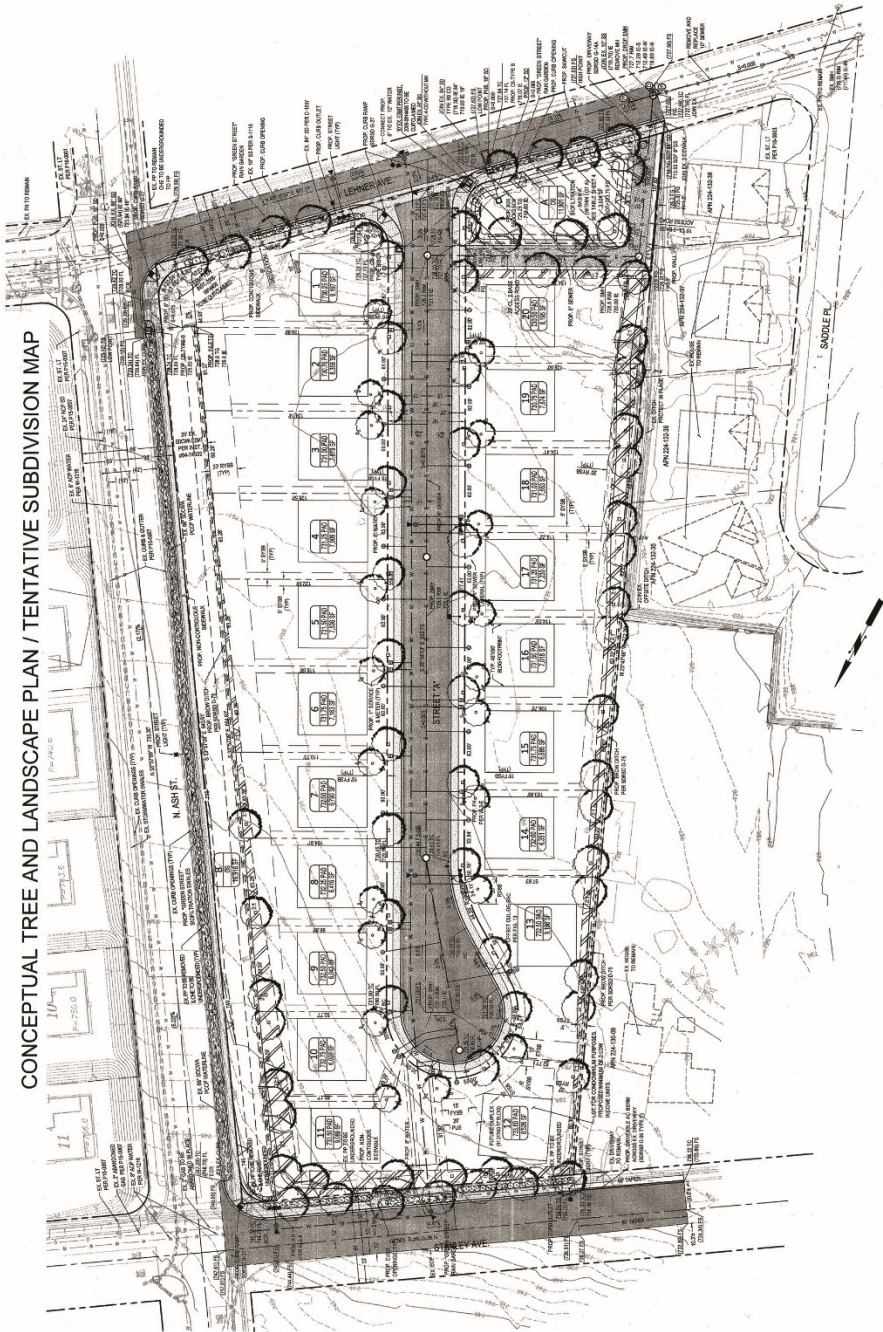
PROPOSED DENSITY

STREET "A":

GRASSY ACREAGE	=5.09 AC
DENSITY CALCULATION:	
APN 224-130-10	5.09 AC - 3.33 DU/AC
TOTAL AC	5.09 AC
TOTAL DUs	=17 (ROUNDED UP) 17 UNITS ALLOWED
VERY LOW INCOME UNITS:	
APN 224-130-10	1 DU (5.88% VERY LOW INCOME PERCENTAGE)
TOTAL DU	1 DU
DENSITY BONUS CALCULATION:	
APN 224-130-10	17 DU * 0.20 DENSITY BONUS = 4 (ROUNDED UP)
TOTAL BONUS DUs	4 UNITS ALLOWED
TOTAL STREET "A" DUs	21 UNITS ALLOWED
	20 UNITS PROPOSED
	- 1 UNIT VERY LOW INCOME UNIT
	- 19 UNITS MARKET RATE UNITS



**PROPOSED PROJECT: PL 22-0134/ PL 22-0154
BIOFILTRATION BASIN DETAILS**



CONCEPTUAL TREE AND LANDSCAPE PLAN / TENTATIVE SUBDIVISION MAP



PROPOSED PROJECT: PL 22-0134/ PL 22-0154
LANDSCAPE PLAN

CONCEPTUAL PLANTING LEGEND

SYMBOL BOTANICAL NAME / COMMON NAME QTY. SIZE HT., SPREAD SPACING FORM / FUNCTION WUCOLS



**Subdivision Perimeter Parkways^{*}
Lehner Ave. and Stanley Ave.**

Street Trees


	Rhus lancea	African Sumac	11	24" box	18' x 18'	30' o.c. avg. Per Plan	Upright / Character, Color Standard / Single Trunk	M (L)
	Laurus nobilis	Sweet Bay	4	24" box	16' x 14'	30' oc. avg. Per Plan	Upright / Character, Color Standard / Single trunk	L

*Tree planting in Ash Street parkway prohibitive due to location of SDCWA Easement and buried pipe

Shrubs

	Raphiolepis i. 'Pink Dancer'	P.D. India Hawthorn	-	5 gal.	2' x 3'	3' on center	Low, Spreading / Foliage	M (L)
	Westringia f. 'Morning Light'	M.L. Coast Rosemary	-	5 gal.	2' x 3'	3' on center	Low, Spreading / Foliage	L

Groundcover in Public Parkway Rain Garden – Green Street Swales

	Carex pansa	California Meadow Sedge	-	1 gal.	1' x 1'	1' o.c.	Low, Spreading (LID)	L
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Subdivision "A" St.

Street Trees

	Rhus lancea	African Sumac	12	24" box	18' x 18'	30' avg. Per Plan	Upright / Character, Color Standard / Single Trunk	M (L)
	Laurus nobilis	Sweet Bay	10	24" box	16' x 14'	30' avg. Per Plan	Upright / Character, Color Standard / Single Trunk	L



Subdivision Lots (20 Total)

Trees


	Prunus caroliniana	Carolina Laurel Cherry	21	15 gal.	15' x 12'	Per Plan	Upright / Character, Color	L
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Subdivision Slopes

Trees

	Laurus nobilis	Sweet Bay	22	24" box	16' x 14'	Per Plan	Upright / Character, Color Standard / Single trunk	L
	Quercus agrifolia	Coast Live Oak	8	24" box	25' x 20'	Per Plan	Upright / Screening, Shade Natural Form (Std., Multi/LB)	L

Shrubs

	Westringia f. 'Morning Light'	M.L. Coast Rosemary	-	5 gal.	2' x 3'	3' o.c. Field Spot	Low, Spreading / Foliage	L
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Groundcover



	Myoporum p. 'Putah Creek'	Putah Creek Myoporum	-	1 gal.	1' x 3'	3' o.c.	Low, Spreading (LID)	L
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SYMBOL BOTANICAL NAME / COMMON NAME QTY. SIZE HT., SPREAD SPACING FORM / FUNCTION WUCOLS

Lot A Biofiltration Basin







Basin "A"

Trees (Located Outside and Above Basin)

	Quercus agrifolia	Coast Live Oak	3	24" box	25' x 25'	Per Plan	Upright / Screening, Shade Natural Form (Std., Multi/LB)	L
	Salix lasiolepis	Arroyo Willow	1	24" box	15' x 10'	Per Plan	Upright / Character, Color Natural Form	L

Shrubs

Biofiltration Basin Bottom, Side Shrubs: in groupings.

	Carex spissa*	San Diego Sedge	-	1 gal.	5' x 3'	5' o.c.		VL
	Eleocharis macrostachya*	Pale Spike Rush	-	1 gal.	3' x 3'	4' o.c.		VL
	Juncus patens*	California Gray Rush	-	1 gal.	2' x 2'	3' o.c.		VL
	Mimulus cardinalis	Scarlet Monkeyflower	-	1 gal.	2' x 3'	3' o.c.		VL
	Muhlenbergia rigens	Deergrass	-	1 gal.	4' x 4'	5' o.c.		VL
	Ribes speciosum	Fuchsia Flower Goosberry	-	1 gal.	5' x 5'	6' o.c.		VL

* denotes suggested primary plant; plant selections per San Diego County Stormwater Manual, 2019

Lot B / Open Space – Existing 25' w SDCWA Easement

- To Remain Undeveloped, Undisturbed
- Existing SDCWA Buried Pipeline

**PROPOSED PROJECT: PL 22-0134/ PL 22-0154
LEGEND**

**MITIGATION MONITORING AND REPORTING PROGRAM
ENVIRONMENTAL DOCUMENT REFERENCE NUMBER (SCH 2023030763)**

PROJECT NAME: Ash Residential Subdivision Project and Annexation Project

PROJECT LOCATION: The property is located west of Ash Street between Stanley Avenue to the north and Lehner Avenue to the south (Assessor Parcel Number 224-130-10-00).

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide approximately 5.09 acres into 20 single-family residential lots with a single lettered lot for a biofiltration basin. The Project includes the construction of 20 new single-family detached residences. A Density Bonus is requested that will restrict one of the lots to “very low income” buyers. The project site is currently within the Sphere of Influence of the City of Escondido and Planning Area and annexation from unincorporated County territory to the City of Escondido is requested. The annexation will require final approval by the Local Agency Formation Commission (LAFCO).

LEAD AGENCY: City of Escondido

CONTACT PERSON/ TELEPHONE NO.: Ivan Flores, Associate Planner | (760) 839-4529

APPLICANT: Escondido North, LLC

CONTACT PERSON/ TELEPHONE NO.: John Kaye | (949) 233-4086

No.	Mitigation Measure	Time Frame for Implementation	Responsible Agency/Party	Verification of Compliance		
				Initials	Date	Remarks
Air Quality						
MM AQ-1	The Proposed Project shall utilize low emission “clean diesel” equipment with new or modified Tier 4 engines that include diesel oxidation catalysts, diesel particulate filters or Moyer Program retrofits that meet CARB best available control technology for all feasible off-road diesel powered construction equipment.	During all construction activities	Contractor			

Biological Resources						
MM BIO-1	<p>Prior to ground disturbances that would impact potentially suitable nesting habitat for avian species, the project applicant shall adhere to the following:</p> <ol style="list-style-type: none"> 1. Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to the extent feasible to avoid potential impacts to nesting birds and/or ground nesters. 2. Any construction activities that occur during typical nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) will require that all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), be thoroughly surveyed for the presence of nesting birds by a qualified biologist within 5-days prior to commencing ground disturbances. If active nests are identified, the biologist would establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers would be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist would review and verify compliance with these nesting boundaries and would verify the nesting effort has finished. Work can resume within 	Prior to Grading/Ground disturbance	Project Biologist			

	<p>these areas when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.</p>					
MM BIO-2	<p>The Project Applicant shall replace impacted mature trees at a minimum of 1:1 ratio, a total of 4 trees, unless other biologically equivalent or superior mitigation has been determined by the City. Trees may be replaced either on or off-site. The number, size, and species of replacement trees shall be determined on a case-by-case basis by the Development Services Director pursuant to Escondido Municipal Code Section 33-1069.</p>	<p>Prior to grading permit</p>	<p>Project Applicant</p>			
Cultural Resources						
MM CUL-1	<p>If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts) are discovered during grading or construction activities in the Project area, work shall be halted immediately within 50 feet of the discovery, the City Planning Department shall be notified, and a professional archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology and/or</p>	<p>During Grading/Ground Disturbances</p>	<p>Archaeologist / City Planning Department</p>			

	<p>history shall be retained to determine the significance of the discovery.</p> <p>The City shall consider mitigation recommendations presented by a professional archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards in archaeology and/or history for any unanticipated discoveries. The City and the Project applicant of the site where the discovery is made shall consult and agree on implementation of a measure or measures that the City deems feasible. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The Project applicant shall be required to implement any mitigation necessary for the protection of cultural resources.</p>					
MM CUL-2	<p>If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified (California Public Resources Code §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC shall be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD’s recommendation shall be followed if feasible, and</p>	During Construction	Project Archaeologist/ County Coroner			

	may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (California Health and Safety Code §7050.5). If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (California Public Resources Code §5097.98).					
Geology and Soils						
MM GEO-1	The Project Applicant shall implement the recommendations contained in the Revised Geotechnical Due Diligence Assessment; 4.9±-Acre Parcel Adjacent to the Northwest Side of the Intersection of N. Ash Street and Lehner Avenue, Assessor Parcel Number (APN) 224-130-10-00, City of Escondido, San Diego County, California, dated May 18, 2022, to reduce geologic hazards during implementation of the proposed Project. Included in the reports are site-specific recommendations involving such topics as, grading and earthwork, slope stability, retaining walls, seismic design, construction materials, geotechnical observation, and testing and plan reviews.	During Grading	Project Geologist/ Public Works Department			
MM GEO-2	Prior to the issuance of a grading permit, the Applicant shall prepare a final geotechnical report based on the final rough grading plans and the final geotechnical report shall incorporate all of the recommendations included in the preliminary geotechnical reports included in Appendices D. The geotechnical reports included in Appendix D have established that the site is geotechnically suitable for development and a final geotechnical report is	Prior to Grading Permit	Project Geologist/ Public Works Department			

	required to ensure all construction-level geotechnical recommendations and design parameters are included on the final rough grading plans.					
Noise						
MM NOI-1	<p>Construction Noise. Prior to issuance of construction permits, the City's Building Division shall verify that all construction plans include the following measures. The measures may include but are not limited to the following:</p> <ul style="list-style-type: none"> ▪ Staging areas should be placed as far as possible from sensitive receptors. ▪ Place stationary equipment in locations that will have a lesser noise impact on nearby sensitive receptors. ▪ Turn off equipment when not in use. ▪ Limit the use of enunciators or public address systems, except for emergency notifications. ▪ Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured to prevent rattling and banging. ▪ Schedule work to avoid simultaneous construction activities that both generate high noise levels. ▪ Use equipment with effective mufflers. ▪ Minimize the use of backup alarms. 	During Construction	Project Contractor/ City Building Division			
Tribal Cultural Resources						
MM TCR-1	Prior to the issuance of a grading permit, the Applicant shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a Pre-Excavation Agreement) with a tribe that is	Prior to Grading Permit	Project Applicant/ Project Archaeologist/			

	<p>traditionally and culturally affiliated with the Project Location ("TCA Tribe"). The purposes of the agreement are (1) to provide the Applicant with clear expectations regarding tribal cultural resources, and (2) to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through a monitoring program in conjunction with the construction of the Project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities. The agreement shall incorporate, at a minimum, the performance criteria and standards, protocols, and procedures set forth in mitigation measures MM TRC-2 through MM TRC-10, and the following information:</p> <ul style="list-style-type: none"> • Parties entering into the agreement and contact information. • Responsibilities of the Property Owner or their representative, archaeological monitors, and tribal monitors. • Project grading and development scheduling, including determination of authority to adjust in the event of unexpected discovery, and terms of compensation for the monitors, including overtime and weekend rates, in addition to mileage reimbursement. • Requirements in the event of unanticipated discoveries, which shall address grading and 		Native American Monitor			
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	<p>grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and on-site storage of cultural materials.</p> <ul style="list-style-type: none"> • Treatment of identified Native American cultural materials. • Treatment of Native American human remains and associated grave goods. • Confidentiality of cultural information including location and data. • Negotiation of disagreements should they arise. • Regulations that apply to cultural resources that have been identified or may be identified during project construction. 					
MM TCR-2	<p>Prior to issuance of a grading permit, the Applicant shall provide written verification to the City that a qualified archaeologist and a Native American monitor associated with a TCA Tribe have been retained to implement the monitoring program. The archaeologist shall be responsible for coordinating with the Native American monitor. This verification shall be presented to the City in a letter from the Project archaeologist that confirms the selected Native American monitor is associated with a TCA Tribe. The City, prior to any pre-construction meeting, shall approve all persons involved in the monitoring program.</p>	Prior to Grading Permit	Project Applicant/ Project Archaeologist/ Native American Monitor			
MM TCR-3	<p>The qualified archaeologist and a Native American monitor shall attend all applicable pre-construction</p>	Prior to Grading	Project Applicant/			

	meetings with the General Contractor and/or associated subcontractors to explain and coordinate the requirements of the monitoring program.		Native American Monitor			
MM TCR-4	During the initial grubbing, site grading, excavation or disturbance of the ground surface (including both on- and off-site improvement areas), the qualified archaeologist and the Native American monitor shall be present full-time. If the full-time monitoring reveals that the top soil throughout the Project impact area (both on and off-site) has been previously removed during the development of the roads and buildings within the Project area, then a decrease of monitoring to part-time monitoring or the termination of monitoring can be implemented, as deemed appropriate by the qualified archaeologist in consultation with the Native American monitor. The frequency of subsequent monitoring shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring considering these factors. Archaeological and Native American monitoring would be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits (i.e., soil conditions are comprised solely of fill or granitic bedrock).	During Construction	Project Archaeologist/ Native American Monitor			
MM TCR-5	In the event that previously unidentified tribal cultural resources are discovered, all work must halt within a 100-foot radius of the discovery. The qualified	During Grading	Project Applicant/ Project			

	<p>archaeologist and the Native American monitor shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The qualified archaeologist and Native American Monitor shall consider the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c) in determining the significance of a discovered resource. If the professional archaeologist and Native American monitor determine that the find does not represent a culturally significant resource, work may resume immediately, and no agency notifications are required. Isolates and clearly non-significant deposits shall be documented in the field and collected, and monitored grading can immediately proceed. All unearthened archaeological resources or tribal cultural resources shall be collected, temporarily stored in a secure location, and repatriated for later reburial on the project site, pursuant to the terms of the Pre-Excavation Agreement.</p>		<p>Archaeologist/ Native American Monitor</p>			
<p>MM TCR-6</p>	<p>If the qualified archaeologist and Native American monitor determine that the find does represent a potentially significant tribal cultural resource, considering the criteria identified by California Public Resources Code sections 21083.2(g) and 21074, and CEQA Guidelines sections 15064 and 15064.5(c), the archaeologist shall immediately notify the City of said discovery. The qualified archaeologist, in consultation with the City, the consulting TCA Tribe(s), and the Native American monitor, shall determine the significance of the discovered resource. A recommendation for the tribal cultural resource's treatment and disposition shall be made by the</p>	<p>During Grading</p>	<p>Project Archaeologist/ Native American Monitor</p>			

	<p>qualified archaeologist in consultation with the TCA Tribe(s) and be submitted to the City for review and approval. If the find is determined to be a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c), appropriate treatment measures would be implemented. Work may not resume within the no-work radius until the City, through consultation as set forth herein, determines either that: 1) the discovery does not constitute a Tribal Cultural Resource under CEQA, as defined in California Public Resources Code Section 21074(a) through (c); or 2) the approved treatment and disposition measures have been completed.</p>					
<p>MM TCR-7</p>	<p>All sacred sites, significant tribal cultural resources, and unique archaeological resources encountered within the Project area shall be avoided and preserved as the preferred mitigation. The avoidance and preservation of the significant tribal cultural resource or unique archaeological resource must first be considered and evaluated in consultation with the TCA Tribe(s) as required by CEQA and in compliance with all relevant mitigation measures for the Project. If any significant tribal cultural resource or unique archaeological resource has been discovered and such avoidance or preservation measure has been deemed to be infeasible by the City's Director of Development Services Department (after a recommendation is provided by the qualified archaeologist, in consultation with the TCA Tribe(s), making a determination of infeasibility that takes into account the factors listed in California Public Resources Code sections 21061.1, 21081(a)(3), and</p>	<p>During Grading</p>	<p>Project Archaeologist/ Native American Monitor</p>			

	<p>CEQA Guidelines section 15091, and in accordance with all relevant mitigation measures for the Project), then culturally appropriate treatment of those resources, including but not limited to funding an ethnographic or ethnohistoric study of the resource(s), and/or developing a research design and data recovery program to mitigate impacts shall be prepared by the qualified archaeologist (using professional archaeological methods), in consultation with the TCA Tribe and the Native American monitor, and shall be subject to approval by the City. No artifact sampling for analysis is allowed, unless requested and approved by the consulting TCA Tribe(s). Before construction activities are allowed to resume in the affected area, the research design and data recovery program activities must be concluded to the satisfaction of the City.</p>					
<p>MM TCR-8</p>	<p>As specified by California Health and Safety Code section 7050.5, if human remains are found on the Project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to a temporary off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and</p>	<p>During Grading</p>	<p>Project Applicant/ Project Archaeologist/ Native American Monitor/ County Coroner</p>			

	<p>disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner would notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (California Public Resources Code § 5097.98) for proper treatment and disposition in accordance with California Public Resources Code section 5097.98. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the City does not agree with the recommendations of the MLD, the NAHC can mediate (California Public Resources Code § 5097.94). If no agreement is reached, the remains shall be kept in situ, or reburied in a secure location in close proximity to where they were found and where they will not be further disturbed (California Public Resources Code § 5097.98). Work may not resume within the no work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction. The analysis of the remains shall only occur on site in the presence of the MLD, unless the forensic anthropologist and the MLD agree to remove the remains to an off-site location for examination.</p>					
MM TCR-9	<p>If the qualified archaeologist elects to collect any tribal cultural resources, the Native American monitor must be present during any cataloging of those resources. Moreover, if the qualified archaeologist does not</p>	During Grading	Project Archaeologist/ Native			

	<p>collect the cultural resources that are unearthed during the ground-disturbing activities, the Native American monitor may, at their discretion, collect said resources for later reburial on the Project site or storage at a local curation facility. Any tribal cultural resources collected by the qualified archaeologist shall be repatriated to the TCA Tribe for reburial on the Project site. Should the TCA Tribe(s) decline the collection, the collection shall be curated at the San Diego Archaeological Center. All other resources determined by the qualified archaeologist, in consultation with the Native American monitor, to not be tribal cultural resources, shall be curated at the San Diego Archaeological Center.</p>		<p>American Monitor</p>			
<p>MM TCR-10</p>	<p>Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, that describes the results, analysis, and conclusions of the archaeological monitoring program and any data recovery program on the Project site, shall be submitted by the qualified archaeologist to the City. The Native American monitor shall be responsible for providing any notes or comments to the qualified archaeologist in a timely manner to be submitted with the report. The report will include California Department of Parks and Recreation Primary and Archaeological Site Forms for any newly discovered resources. A copy of the final report will be submitted to the South Coastal Information Center after approval by the City.</p>	<p>Post- Grading</p>	<p>Project Applicant/ Project Archaeologist/ Native American Monitor</p>			

Exhibit “D”

PLANNING CASE NOS. PL22-0134/PL22-0154

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et. seq.) (“CEQA”), and its implementing regulations (14 C.C.R. § 15000 et seq.) (“CEQA Guidelines”), the City of Escondido (“City”) is the Lead Agency for the project (“Project”), as the public agency with the principal responsibility for approving the Project.
2. An Initial Study/Mitigated Negative Declaration (“IS/MND”) for the Project was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the CEQA Guidelines, and the local environmental procedures. The decision-making body of the Lead Agency shall adopt the proposed IS/MND only if:
 - It finds on the basis of the whole record before it that there is no substantial evidence the project will have a significant effect on the environment, and
 - The IS/MND reflects the Lead Agency’s independent judgment and analysis
3. The Final IS/MND and Mitigation Monitoring and Reporting Plan (“MMRP”) collectively constitute the environmental documentation under and pursuant to CEQA, the CEQA Guidelines, and local environmental procedures relating to the project, and shall be referred to herein collectively as “CEQA Documents”
4. The Planning Commission has received the material record supporting all of the CEQA documents for the project. The Planning Commission, finds the following:
 - The Final IS/MND reflects the City’s independent judgment and analysis.
 - That there is no substantial evidence that the Project or any of its aspects could result in significant adverse impacts, or that cannot be fully mitigated. All previously identified impacts have been mitigated to less than a significant level.
 - The Planning Commission also finds that the mitigation measures listed in the MMRP will not cause any potentially significant effects.
 - The Final IS/MND has been completed in compliance with CEQA and it constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA
5. Mitigation measures are recommended to be incorporated as part of the adoption of the Mitigated Negative Declaration. The recommended approval of the Project also includes the adoption of the MMRP, attached hereto this Resolution.

6. Pursuant to Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines section 15091(e), all documents and other materials which constitute the record of proceedings are located at the City of Escondido, City Hall. The City Clerk, whose office is located at 201 North Broadway, Escondido CA 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

Annexation Determinations

1. The proposed annexation conforms to the annexation policies established in the Escondido General Plan Land Use and Community Form element that are intended to guide development to meet present and future needs, achieve a vibrant community, and enhance the character of Escondido.
2. The parcel proposed to be annexed into the City of Escondido is located within the Escondido Sphere of Influence and Escondido Planning Area.
3. The reorganization includes annexation to the City of Escondido and detachment from the County Service Area No. 135 (Regional Communications)
4. The City of Escondido will provide fire and emergency response to the proposed annexation territory. City sewer service would be available to the subject parcel. The City of Escondido Police Department, which already patrols the general area and works cooperatively with the San Diego County Sheriff, would assume responsibility for law enforcement. The annexation would not introduce new service providers to the area or become a departure from the existing pattern of service delivery in this portion of Escondido.
5. The proposed annexation will not conflict with any specific development plans for the properties. Development will be subject to the provisions of the Escondido General Plan and Zoning Code upon annexation.
6. The public health, safety and welfare will not be adversely affected by the proposed change because the parcel has already been pre-zoned as R-1-10, consistent with its General Plan land use designation.
7. The requirements of the California Environmental Quality Act (CEQA) have been met because it was determined the Project will not have a significant effect on the environment because mitigation measures and project design features will avoid or reduce potential

impacts to less than a significant level, as demonstrated in the Final IS/MND prepared for the project.

Tentative Subdivision Map Determinations (Subdivision Map Act and Chapter 32 of the Escondido Municipal Code)

The Planning Commission makes the finding that none of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a Tentative Subdivision Map apply to this Project for the reasons stated as follows:

1. *That the proposed map is consistent with the applicable general and specific plans as specified in Section 65451 of the Subdivision Map Act*

The proposed Project has been reviewed in accordance with the City's 2012 General Plan, and is not located within a specific plan area. The proposed subdivision is consistent with the Suburban (S) land use designation which allows for residential uses on the Project site. The S land use designation allows a maximum density of 3.3 dwelling units per acre. The Project will have a maximum density of 3.9 dwelling units per acre; however, the increase in density is due to a density bonus as permitted by State Density Bonus Law and the Article 67 of the Escondido Zoning Code. The increase in density above the General Plan land use designation does not constitute inconsistency with the applicable General Plan land use designation as the density bonus has been granted in accordance with State Law.

2. *That the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans*

The Project includes a Density Bonus request which allows for deviations from the Escondido Zoning Code. The Applicant has applied for waivers related to development standards such as lot size, lot coverage, floor area ratio, and setbacks. The Project is designed to be consistent with surrounding subdivisions and complies with Escondido City standards related to street improvements. As conditioned, the design and improvements of the proposed subdivision are consistent with the General Plan.

3. *The Project site is physically suitable for the proposed type of Project*

The Project site is suitable for the residential type of development proposed since the Project is located on property that is adjacent to residential uses at relatively similar size and scale. The location, access, density, size, and type of use proposed in the Tentative Subdivision Map are compatible with the existing and future land uses in the surrounding neighborhood as a large portion of the surrounding neighborhoods share the same zoning designation. The Project site is approximately 5.09 acres, is relatively flat, and can accommodate the amount of lots proposed for the site.

4. That the site is physically suitable for the proposed density of development

The granting of the Tentative Subdivision Map would not violate the requirements, goals, policies, or intent of the 2012 General Plan. The Project includes a density bonus request which would exceed the maximum density allowed under the S land use designation; however, the request is allowed under State Density Bonus Law and Article 67 of the Escondido Zoning Code. The requested waivers related to setbacks, lot size, floor area ratio, and lot coverage promote a design that complements the increase in density of development.

5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat

The Project site has been thoroughly analyzed for applicable environmental impacts related to this proposed development (State Clearinghouse #2023030763). No special status plant or animal species were discovered on the Project site during the preparation of the Project's biological technical report. Impacts to vegetation communities, and nesting birds, and mitigation measures have been proposed in the Final IS/MND to reduce these impacts to a less than significant level.

6. That the design of the subdivision or the type of improvements is not likely to cause serious public health concerns

The design of the map and the type of improvements are not likely to cause serious public health problems. The Project's proposed street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; traffic and emergency access; grading; and open space and recreational amenities were all reviewed for compliance to relevant City policies and codes. All necessary public facilities and services are in place or can be extended to serve the Project, which comes with support from fire, sewer, water, and school services providers, indicating that existing facilities are available to service the Project.

7. That the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision

The design of the map and type of improvements would not conflict with easements of record, or easements established through court judgement or acquired by the population at large, for access through, or use of property within the proposed map. All easements identified in the preliminary title report for the subject property are shown on the proposed Tentative Subdivision Map. No conflicts with easement of record have been identified.

8. *All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of this code have been obtained*

All permits and approvals applicable to the proposed Tentative Map pursuant to Chapter 33 of the Municipal Code have been obtained, or conditions of approval have been proposed to ensure they will be obtained. Approval of an Annexation along with the Tentative Map will allow the applicant to implement the design of the subdivision as shown on the map. The Project has been conditioned to require several permits necessary to construct the Project as proposed, including grading, landscape, building, and encroachment permits from the City of Escondido.

9. *All applicable requirements of the Map Act and any ordinance of the City of Escondido regulating or otherwise relating to the conversion of existing buildings into condominiums or stock cooperatives have been satisfied*

The proposed Project is a Tentative Map for the subdivision of an existing 5.09-acre site. The Project does not include conversion of existing buildings into condominiums or stock cooperative. All applicable requirements of the Map Act and any ordinance of the City of Escondido have been satisfied.

10. *The proposed Tentative Map shall be in conformity with the zone in which it is located. To the extent that the property, which is subject of the proposed Tentative Map, is an existing legal nonconforming multi-family residential use, this requirement shall not apply, in accordance with Chapter 33 of this code.*

The proposed Tentative Map shall be in conformity with the zone it is located in. The Project site currently has a single-family Pre-zone designation (PZ-R-1-10) and will be developed in accordance with the requirements of Chapter 33. The conditions of approval and subsequent design review of future residential development would ensure consistency with all standard requirements.

Density Bonus Determinations (Article 67 Section 33-1419 of Chapter 33)

11. *The Project is consistent with the provisions of this article*

The Project includes a request for a density bonus. The underlying Suburban General Plan land use designation allows a maximum of 3.3 dwelling units per acre which would allow up to 17 dwelling units on the 5.09-acre site. The Applicant has submitted a density bonus request which outlines the allowable density based on providing 1 very-low income unit (5.88%) of the 17 base dwelling units. As allowed by Article 67 of Chapter 33, the Applicant is entitled to a 20% increase in density which would allow up to 4 additional units. The Applicant has chosen to construct an additional 3 bonus units for a total of 20 dwelling units. The Applicant is also entitled to one

incentive/concession in accordance with aforementioned section, and they have requested the elimination of the requirement to underground overhead utilities. The Project is consistent with the provisions of Article 67 of Chapter 33.

EXHIBIT “E”

PLANNING CASE NOS. PL22-0134/PL22-0154

CONDITIONS OF APPROVAL

This Project is recommended for conditional approval as set forth on the application received by the City of Escondido on **March 18, 2022**, and the Project drawings consisting of Site Plans, Floor Plans, Sections, Architectural Elevations, Civil Sheets/Grading, Landscape Plans and Colored Elevations; all **recommended for approval on May 23, 2023**, and shall not be altered without express authorization by the Development Service Department.

For the purpose of these conditions, the term “Applicant” shall also include the Project proponent, owner, permittee, and the Applicant’s successors in interest, as may be applicable.

A. General:

1. **Acceptance of Permit.** If the Applicant fails to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the Applicant shall be deemed to constitute all of the following on behalf of the Applicant:
 - a. Acceptance of the Permit by the Applicant; and
 - b. Agreement by the Applicant to be bound by, to comply with, and to do all things required of or by the Applicant pursuant to all of the terms, provisions, and conditions of this Project Permit or other approval and the provisions of the Escondido Municipal Code or Zoning Code applicable to such Permit.

2. **Permit Expiration.** If the Permit was filed as or concurrent with a Tentative Map or Planned Development application, the Permit shall expire 36 months from the effective date of approval, unless additional time is granted pursuant to the Map Act or to the Escondido Municipal Code. If not filed as concurrent with a Tentative Map or Planned Development application, the Permit shall automatically expire after one year from the date of this approval, or the expiration date of any extension granted in accordance with the Escondido Municipal Code and Zoning Code.

The Permit shall be deemed expired if a building permit has not been obtained or work has been discontinued in the reliance of that building permit. If no building permits are required, the City may require a noticed hearing to be scheduled before the authorized agency to determine if there has been demonstrated a good faith intent to proceed, pursuant to and in accordance with the provision of this Permit.

- 3. Certification.** The Director of Development Services, or his/her designee, is authorized and directed to make, or require the Applicant to make, all corrections and modifications to the Project drawings and any other relevant document comprising the Project in its entirety, as necessary to make them internally consistent and in conformity with the final action on the Project. This includes amending the Project drawings as necessary to incorporate revisions made by the decision-making body and/or reflecting any modifications identified in these conditions of approval. A final Approved Plan set, shall be submitted to the Planning Division for certification electronically. Said plans must be certified by the Planning Division prior to submittal of any post-entitlement permit, including grading, public improvement, landscape, or building plans for the Project.
- 4. Conformance to Approved Plans.**

 - a.** The operation and use of the subject property shall be consistent with the Project Description and Details of Request, designated with the Approved Plan set.
 - b.** Nothing in this Permit shall authorize the Applicant to intensify the authorized activity beyond that which is specifically described in this Permit.
 - c.** Once a permit has been issued, the Applicant may request Permit modifications. "Minor" modifications may be granted if found by the Director of Development Services to be in substantial conformity with the Approved Plan set, including all exhibits and Permit conditions attached hereto. Modifications beyond the scope described in the Approved Plan set may require submittal of an amendment to the Permit and approval by the authorized agency.
- 5. Limitations on Use.** Prior to any use of the Project site pursuant to this Permit, all Conditions of Approval contained herein shall be completed or secured to the satisfaction of the Development Services Department.
- 6. Certificate of Occupancy.**

 - a.** No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required, and any such change in occupancy must comply with all other applicable local and state laws.
 - b.** Prior to final occupancy, a Planning Final Inspection shall be completed to ensure that the property is in full compliance with the Permit terms and conditions. The findings of the inspection shall be documented on a form and content satisfactory to the Director of Development Services.

7. Availability of Permit Conditions.

- a. Prior to grading permit issuance, the Applicant shall cause a covenant regarding real property to be recorded that sets forth the terms and conditions of this Permit approval and shall be of a form and content satisfactory to the Director of Development Services.
- b. The Applicant shall make a copy of the term's conditions of this Permit readily available to any member of the public or City staff upon request. Said terms and conditions shall be printed on any construction plans that are submitted to the Building Division for plan check processing.

8. Right to Entry. The holder of this Permit shall make the premises available for inspection by City staff during construction or operating hours and allow the investigations of property necessary to ensure that minimum codes, regulations, local ordinances and safety requirements are properly followed. The Applicant shall provide such business records, licenses, and other materials necessary upon request to provide evidence of compliance with the conditions of approval, as well as federal, state, or laws.

9. Compliance with Federal, State, and Local Laws. Nothing in this Permit shall relieve the Applicant from complying with conditions, performance standards, and regulations generally imposed upon activities similar in nature to the activity authorized by this permit. (Permits from other agencies may be required as specified in the Permit's Details of Request.) This Permit does not relieve the Applicant of the obligation to comply with all applicable statutes, regulations, and procedures in effect at the time that any engineering permits or building permits are issued unless specifically waived herein.

No part of this Permit's approval shall be construed to permit a violation of any part of the Escondido Municipal or Zoning Code. **During** Project construction and after Project completion, the Applicant shall ensure the subject land use activities covered by this Permit is conducted in full compliance with all local and state laws.

10. Fees. The appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Development Services. Through plan check processing, the Applicant shall pay development fees at the established rate. Such fees may include, but not be limited to: Permit and Plan Checking Fees, Water and Sewer Service Fees, School Fees, Traffic Mitigation Fees, Flood Control Mitigation Fees, Park Mitigation Fees, Fire Mitigation/Cost Recovery Fees, and other fees listed in the Fee Schedule, which may be amended. Arrangements to pay these fees shall be made prior to building permit issuance to the satisfaction of the Development Services Department.

Approval of this development project is conditioned upon payment of all applicable development fees and connection fees in the manner provided in Chapter 6 of the Escondido Municipal Code.

11. Costs of Municipal Services. In accordance with the General Plan, the Developer shall fund all on-going operational costs of providing municipal services required for the Project, the amount of such funding shall be in accordance with the special tax levy adopted annually by the City Council based on the project density, unless another amount is approved by the City Council at the time of Project approval. Such funding shall occur through either an agreement to form or annex into a Community Facilities District (“CFD”) or the establishment of another lawful funding mechanism reasonably acceptable to the City (“Public Services Funding Agreement”). Projects that elect to annex into the Services CFD shall submit consent forms prior to the first permit issuance if they have not done so already. The provisions of the Public Services Funding Agreement shall specify any terms and limitations necessary to implement the CFD or other funding mechanism to offset the impacts to public services associated with the project. The City Manager, or City Manager’s designee, shall be authorized to approve and execute the Public Services Funding Agreement, and the Public Services Funding Agreement shall be finalized prior to the City’s issuance of any permit for the Project.

12. Public Art Partnership Program. All requirements of the Public Art Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

13. Clerk Recording.

- a. State Law (SB 1535), effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Wildlife. If the Project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with State law, or if the Project was analyzed through a negative declaration or environmental impact report, the Applicant shall remit to the City of Escondido Planning Division, within two working days of the effective date of the adoption of the environmental document, a check payable to the “San Diego County Clerk,” in the amount that is published by the County Clerk’s Office. Failure to remit the required fees in full within the specified time noted above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code provide that no project shall be operative, vested, or final until all the required filing fees are paid. The County Clerk’s Office filing fees for other environmental review

documents are adjusted annually by the California Department of Fish and Wildlife. If the fee increase after the date of this approval, the Applicant shall be responsible for the increase.

- b. For more information on filing fees, please refer to the County Clerk's Office and/or the California Code of Regulations, Title 14, Section 753.5.

14. Legal Description Adequacy. The legal description attached to the application has been provided by the Applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

15. Application Accuracy. The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

16. Enforcement. If any of the terms, covenants, or conditions contained herein shall fail to occur or if they are, by their terms, to be implemented and maintained over time, the City of Escondido shall have the right to deny or withhold subsequent permit approvals or permit inspections that are derived from the application entitlements herein granted; issue stop work orders; pursue abatement orders, penalties, or other administrative remedies as set forth in state and local laws; or institute and prosecute litigation to compel compliance with such terms, covenants, or conditions or seek damages for their violation. The Applicant shall be notified in advance prior to any of the above actions being taken by the City and shall be given the opportunity to remedy any deficiencies identified by the City.

17. Indemnification, Hold Harmless, Duty to Defend.

- a. The Applicant shall indemnify, hold harmless, and defend (with counsel reasonably acceptable to the City) the City, its Councilmembers, Planning Commissioners, boards, commissions, departments, officials, officers, agents, employees, and volunteers (collectively, "Indemnified Parties") from and against any and all claims, demands, actions, causes of action, proceedings (including but not limited to legal and administrative proceedings of any kind), suits, fines, penalties, judgments, orders, levies, costs, expenses, liabilities, losses, damages, or injuries, at law or in equity, including without limitation the payment of all consequential damages and attorney's fees and other related litigation costs and expenses (collectively, "Claims"), of every nature caused by, arising out of, or in connection with (i) any business, work, conduct, act, omission, or negligence of the Applicant or the owner

of the Property (including the Applicant's or the owner of the Property's contractors, subcontractors, licensees, sublessees, invitees, agents, consultants, employees, or volunteers), or such activity of any other person that is permitted by the Applicant or owner of the Property, occurring in, on, about, or adjacent to the Property; (ii) any use of the Property, or any accident, injury, death, or damage to any person or property occurring in, on, or about the Property; or (iii) any default in the performance of any obligation of the Applicant or the owner of the Property to be performed pursuant to any condition of approval for the Project or agreement related to the Project, or any such claim, action, or proceeding brought thereon. Provided, however, that the Applicant shall have no obligation to indemnify, hold harmless, or defend the City as to any Claims that arise from the sole negligence or willful misconduct of the City. In the event any such Claims are brought against the City, the Applicant, upon receiving notice from the City, shall defend the same at its sole expense by counsel reasonably acceptable to the City and shall indemnify the City for any and all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City).

- b.** The Applicant further and separately agrees to and shall indemnify, hold harmless, and defend the City (including all Indemnified Parties) from and against any and all Claims brought by any third party to challenge the Project or its approval by the City, including but not limited to any Claims related to the Project's environmental determinations or environmental review documents, or any other action taken by the City regarding environmental clearance for the Project or any of the Project approvals. Such indemnification shall include the Applicant's payment for any and all administrative and litigation costs and expenses incurred by the City in defending against any such Claims, including payment for all administrative and litigation costs incurred by the City itself, the costs for staff time expended, and reasonable attorney's fees (including the full reimbursement of any such fees incurred by the City's outside counsel, who may be selected by the City at its sole and absolute discretion and who may defend the City against any Claims in the manner the City deems to be in the best interests of the City and the Project).
- c.** The City, in its sole discretion and upon providing notice to the Applicant, may require the Applicant to deposit with the City an amount estimated to cover costs, expenses, and fees (including attorney's fees) required to be paid by the Applicant in relation to any Claims referenced herein, which shall be placed into a deposit account from which the City may draw as such costs, expenses, and fees are incurred. Within 14 days after receiving written notice from the City, the Applicant

shall replenish the deposit account in the amount the City determines is necessary in the context of the further defense of such Claims. To the extent such deposit is required by the City, the amount of such deposit and related terms and obligations shall be expressed in a written Deposit Account Agreement, subject to the City Attorney's approval as to form. The City, in its sole and reasonable discretion, shall determine the amount of any initial deposits or subsequent deposits of funds, and the Applicant may provide documentation or information for the City to consider in making its determinations. Nothing within this subsection shall be construed as to relieve the Applicant's obligations to indemnify, hold harmless, or defend the City as otherwise stated herein.

- 18. Phasing.** A phasing plan shall be submitted for all projects which include more than one building. The phasing plan shall identify the order in which all on- and off-site improvements will be installed, including triggers for improvements resulting from mitigation measures placed on the project through the environmental review process or required for General Plan conformance. The plan shall also identify the order in which structures will be built and occupied, the location of construction fencing at each phase of construction, and any other means necessary to prevent conflicts between construction traffic and users of the occupied buildings. The phasing plan shall be approved by the City Planner, Building Official, City Engineer and Fire Marshal prior to the issuance of a grading permit for the project. The phasing plan shall not be modified without written consent from the City of Escondido.

B. Construction, Maintenance, and Operation Obligations:

- 1. Code Requirements.** All construction shall comply with the applicable requirements of the Escondido Municipal Code, Escondido Zoning Code, California Building Code; and the requirements of the Planning Division, Engineering Services Department, Director of Development Services, Building Official, City Engineer, and the Fire Chief in carrying out the administration of said codes. Approval of this Permit request shall not waive compliance with any City regulations in effect at the time of Building Permit issuance unless specifically waived herein.

As a condition of receiving the land use approvals specified herein, Applicant shall maintain the property subject to the approvals in compliance with all applicable city codes governing the condition or appearance of property. In addition to compliance with such basic standards, the property subject to these approvals shall also be maintained free of trash, plant debris, weeds, and concrete (other than existing foundations and permanent structures). Any signs placed on the property advertising such property for sale or rent shall be in accordance with applicable laws, and be kept clean, in like-new condition, and free from fading and graffiti at all times. This condition shall be applicable from the date

the land use is approved. The failure to comply with this condition shall subject the approvals specified herein to revocation for failure to comply.

2. **Agency License and Permitting.** In order to make certain on- or off-site improvements associated with the Approved Plan set, the Permit request may require review and clearance from other agencies. Nothing in these Conditions of Approval shall be construed as to waive compliance with other government agency regulations or to obtain permits from other agencies to make certain on- or off-site improvements prior to Final Map recordation, grading permit issuance, building permit issuance, or certificate of occupancy as required. This review may result in conditions determined by the reviewing agency.

At all times during the effective period of this Permit, the Applicant and any affiliated responsible party shall obtain and maintain in valid force and effect, each and every license and permit required by a governmental agency for the construction, maintenance, and operation of the authorized activity.

3. **Utilities.** All new utilities and utility runs shall be underground, or fee payment in-lieu subject to the satisfaction of the City Engineer.
4. **Signage.** All proposed signage associated with the Project must comply with Article 66 (Sign Ordinance) of the Escondido Zoning Code. Separate sign permits will be required for Project signage. All non-conforming signs shall be removed. The Applicant shall submit with any sign permit graphic/list of all signs to be removed and retained, along with any new signage proposed.
5. **Noise.** All Project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
6. **Lighting.** All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting Ordinance) of the Escondido Zoning Code.
7. **General Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to, all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping. The Applicant shall paint and re-paint all building exteriors, accessory equipment, and utility boxes servicing the Project, as necessary to maintain clean, safe, and efficient appearances.
8. **Anti-Graffiti.** The Applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement, including all areas of the job site for when the Project is under construction.

- 9. Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, and garbage.
- 10. Roof, Wall, and Ground Level Equipment.** All mechanical equipment shall be screened and concealed from view in accordance with Section 33-1085 of the Escondido Zoning Code.
- 11. Trash Enclosures.** All appropriate trash enclosures or other approved trash systems shall be approved by the Planning and Engineering Division. The property owner or management company shall be responsible for ensuring that enclosures are easily assessable for garbage and recyclables collection; and that the area is managed in a clean, safe, and efficient manner. Trash enclosure covers shall be closed when not in use. Trash enclosures shall be regularly emptied. There shall be the prompt removal of visible signs of overflow of garbage, smells emanating from enclosure, graffiti, pests, and vermin.
- 12. Staging Construction Areas.** All staging areas shall be conducted on the subject property, subject to approval of the Engineering Department. Off-site staging areas, if any, shall be approved through the issuance of an off-site staging area permit/agreement.
- 13. Disturbance Coordinator.** The Applicant shall designate and provide a point-of-contact whose responsibilities shall include overseeing the implementation of Project, compliance with Permit terms and conditions, and responding to neighborhood concerns.
- 14. Construction Waste Reduction, Disposal, and Recycling.** Applicant shall recycle or salvage for reuse a minimum of 65% of the non-hazardous construction and demolition waste for residential projects or portions thereof in accordance with either Section 4.408.2, 4.408.3, or 4.408.4 of the California Green Building Standards Code; and/or for non-residential projects or portions thereof in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3 of the California Green Building Standards Code. In order to ensure compliance with the waste diversion goals for all residential and non-residential construction projects, the Applicant must submit appropriate documentation as described in Section 4.408.5 of the California Green Building Standards Code for residential projects or portions thereof, or Section 5.408.1.4 for non-residential projects or portions thereof, demonstrating compliance with the California Green Building Standards Code sections cited above.
- 15. Construction Equipment Emissions.** Applicant shall incorporate measures that reduce construction and operational emissions. Prior to the City's issuance of the demolition and grading permits for the Project, the Applicant shall demonstrate to the satisfaction of the

Planning Division that its construction contractor will use a construction fleet wherein all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (“CARB”) certified Tier 4 Interim engines or equipment outfitted with CARB-verified diesel particulate filters. An exemption from this requirement may be granted if (i) the Applicant provides documentation demonstrating that equipment with Tier 4 Interim engines are not reasonably available, and (ii) functionally equivalent diesel PM emission totals can be achieved for the Project from other combinations of construction equipment. Before an exemption may be granted, the Applicant’s construction contractor shall demonstrate to the satisfaction of the Director of Development Services that (i) at least two construction fleet owners/operators in San Diego County were contacted and those owners/operators confirmed Tier 4 Interim equipment could not be located within San Diego County during the desired construction schedule, and (ii) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model (“CalEEMod”) or other industry standard emission estimation method, and documentation provided to the Planning Division confirms that necessary project-generated functional equivalencies in the diesel PM emissions level are achieved.

C. Parking and Loading/Unloading.

1. Each residential unit shall be provided with two covered parking spaces.
2. No parking shall be permitted on cul-de-sacs on Street “A.”
3. Parking for disabled persons (including “Van Accessible” spaces) and electric vehicle parking shall be provided in full compliance with the State Building Code.
4. No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

D. Landscaping: The property owner or owners’ association assumes all responsibility for maintaining all on-site landscaping; any landscaping in the public right-of-way adjacent to the property, including potted plants; and any retaining and freestanding walls in a manner that satisfies the conditions contained herein.

1. Landscaped areas shall be maintained in a flourishing manner. Appropriate irrigation shall be provided for all landscape areas and be maintained in a fully operational condition.
2. All existing planting and planter areas, including areas within the public right-of-way, shall be repaired and landscaping brought into compliance with current standards. All dead plant material shall be removed and replaced by the property owner or management company.

3. If at the time of planning final inspection that it is determined that sufficient screening is not provided, the Applicant shall be required to provide additional landscaping improvements to the satisfaction of the Planning Division.
4. The landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.
5. Failure to maintain landscaping and the site in general may result in the setting of a public hearing to revoke or modify the Permit approval.
6. **Landscaping Plans.** Applicant shall install all required improvements including screening walls, retaining walls, storm improvements, and landscaping in substantial conformance to the planting and irrigation schedule as shown on the final Approved Plan set.
 - a. A final landscape and irrigation plan shall be submitted to the Engineering Services Department for review and approval, if meeting any of the criteria listed under Section 33-1323 of the Zoning Code. Five copies of detailed landscape and irrigation plans shall be submitted to the Engineering Services Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees, paid in accordance with the prevailing fee schedule in effect at the time of submittal. Details of Project fencing and walls, including materials and colors, shall be provided on the landscape plans. (Building permits may also be required.) The landscape and irrigation plans shall be reviewed and approved by the Planning Division and Engineering Services Department prior to issuance of grading permits, and shall be equivalent or superior to the conceptual landscape plans included as part of the Approved Plan set, to the satisfaction of the Planning Division. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined in Article 62 (Landscape Standards) of the Escondido Zoning Code, except where stricter requirements are imposed by the State of California.
 - b. Screening walls, retaining walls, storm improvements, and landscaping (i.e. planting and irrigation) is to be provided prior to final occupancy.
 - c. The installation of the landscaping and irrigation shall be inspected by the Project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The Applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

- d. Any new freestanding walls and/or retaining walls shall incorporate decorative materials or finishes, and shall be indicated on the landscaping plans. (Building permits may also be required.) All freestanding walls visible from points beyond the Project site shall be treated with a protective sealant coating to facilitate graffiti removal. The sealant shall be a type satisfactory to the Director of Development Services.
- e. New or retrofitted trash enclosures shall accommodate vertical climbing plants, vines with support trellis panels, clinging non-deciduous or fast growing shrubbery that will screen the enclosures wall surface. The Director of Development Services shall find that the proposed landscaping design, material, or method provides approximate equivalence to the specific requirements of this condition or is otherwise satisfactory and complies with the intent of these provisions.

E. Specific Planning Division Conditions:

1. The applicant shall be responsible for ensuring that all mitigation measures identified in the Mitigation Monitoring and Reporting Program, included as Exhibit “C” to this resolution, are implemented.
2. The Project shall be managed by a professional management company. A self-managed Home Owners Association (“HOA”) shall not be allowed. This prohibition against a self-managed HOA must be reflected in the Project’s Covenants, Conditions, and Restrictions (“CC&Rs”).
3. Prior to issuance of building permits, the Project will be subject to design review by the Planning Division for the single-family residences.
4. The Project shall be consistent with the design waivers included in Attachment 2 of the Planning Commission staff report, dated May 23, 2023.
5. The design and appearance of the target units shall be consistent or compatible with the design of the total housing development in terms of appearance, materials, and finished quality.
6. The market-rate developer shall provide assurances through inclusion of notes on the Final Map that the all affordable housing unit is constructed prior to construction of market-rate units in a quantity which exceeds that which would otherwise be permitted on the Property. A certificate of occupancy shall be issued for the affordable housing unit prior to issuance of the building permit for the 18th market-rate unit.

F. Specific Fire Department Conditions:

1. An approved adequate water supply and approved paved access is required prior to any combustibles being brought to the site.
2. Min Fire flow as per the FPP report shall be provided on site prior to combustibles being brought to the site.
3. Vegetation clearing and management must be provided as per the approved FPP and Escondido Fire Vegetation clearing standards.
4. No parking will be allowed in any cul-de-sac or access 24 feet wide or smaller as per the Escondido Engineering standards.

G. Specific Building Division Conditions

1. Approval and subsequent development are subject to all conditions and requirements of the California Building Code and Building Division.

H. Housing and Neighborhood Services Conditions:

1. The Project shall provide a minimum of 1 dwelling unit for very-low income households (those earning less than 50% of the Area Median Income for the San Diego-Carlsbad-San Marcos MSA). Prior to or concurrent with final map recordation, the developer shall sign a binding affordable housing agreement with the City, which will set forth the conditions and guidelines to be met in the implementation of Density Bonus Law requirements and any other applicable requirements (Within the affordable housing agreement, the developer will be responsible for annual recertification of household income qualifications and compliance with rent limits). The agreement will also establish specific compliance standards and remedies available to the City upon failure by the developer to restrict units to target households for the prescribed time period (55 years for all target units as described in Government Code section 65915(c)). Income qualified households will be monitored by the City of Escondido Housing and Neighborhood Services Division for the duration of the affordability period. Monitoring fees will be applied per the affordable housing agreement.
2. All affordability agreements shall run with the land and be binding on the applicant and its heirs, transferees, assigns, successors, administrators, executors, and other representatives, and recorded on the applicable property for the requisite period of time.

I. Specific Engineering Division Conditions:

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.
2. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the Grading Plans. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer, required for all public street, utility, and storm drain improvements, and Grading/Private Improvement plans prepared by Civil Engineer, required for all grading, drainage and private onsite improvement design, shall be submitted for review through the City's virtual plan review portal as a single package containing all items on the Engineering Initial Submittal Checklists. Landscaping Plans shall be prepared by a Landscape Architect.
4. A surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of the Final Map and Grading Plan. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up deposit for all grading, landscaping, private Improvements and onsite drainage improvements prior to approval of Grading Plans and issuance of Grading Permit. This Cash Clean Up Deposit amount shall be 10% of the total cost of the project private improvements, drainage and landscaping. The Developer is required to provide Performance (100% of total public improvement cost estimate), Labor and Material (50% of total public improvement cost estimate) and Guarantee and Warrantee (10 % of total public improvement cost estimate) bonds for all public improvements prior to approval of the Improvement Plans and issuance of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy.
5. The developer shall be responsible to acquire any off-site land, easements, permissions or rights-of-way in order to construct the required improvements. Proof of easement or other rights shall be required before a grading permit will be issued.
6. No Building Permits shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded and either:
 - a) All conditions of the Tentative Subdivision Map have been fulfilled: or

- b) Those conditions unfulfilled at the time of an application for Building Permits shall be secured and agreements executed in a form and manner satisfactory to the City Attorney and City Engineer.
- 7. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.
- 8. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
- 9. The Developer’s engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

- 1. Public street and drainage improvements shall be constructed to City Standards as required by the Subdivision Ordinance and to the satisfaction of the City Engineer prior to first occupancy. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, curb returns and pedestrian ramps, drainage, lighting, etc. shall be to the satisfaction of the City Engineer.
- 2. Prior to first occupancy the developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

<u>STREET</u>	<u>CLASSIFICATION</u>
North Ash Street	Local Collector (66/42)
Stanley Avenue	Local Collector (66/42)
Lehner Avenue	Residential Street (56/36)

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements.
4. The major access entrances shall be designed as street intersections with curb returns, cross gutters and spandrels, sidewalk ramps, etc. with a minimum throat width of 36 feet.
5. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.
6. All on-site roads shall be public. Typical sections and design details shall be to the satisfaction of the City Engineer and Director of Development Services. The public street improvements shall include, but not be limited to, the construction of concrete curb, sidewalks, street lights, paving and base.
7. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.
8. All cul-de-sacs shall conform to the current Escondido Design Standards.
9. Plans for construction within any right-of-way under a jurisdiction other than the City of Escondido will be subject to the review by both the City of Escondido and the other jurisdiction. The developer shall be responsible for securing all necessary permits from the appropriate agencies.
10. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior to the issuance of an Encroachment Permit for construction within the public right-of-way.
11. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. The developer's contractor shall complete all necessary removal of existing striping and signage and shall install all new signing and striping per the approved plans and as directed by the Field Engineer.
12. The developer may be responsible for an overlay of Stanley Ave. and Lehner Ave due to the many utility trenches necessary to serve this project. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.
13. For the reconstruction of the existing roadway on Stanley Avenue the design shall provide a smooth vertical centerline to the tie in points on both ends of the project. Offsite minor grading may be required to meet existing elevations on the North side of Stanley Ave.

14. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping shall be provided for adequate sight distance and subject to approval of the City Engineer.
15. The project shall be designed to comply with the maximum grade of intersecting streets of 6% per the Escondido Design Standards.
16. Pedestrian access routes shall be provided into the project to the satisfaction of the City Engineer.
17. Street lights shall be constructed where indicated on the approved tentative map within the public ROW on the adjacent streets and on the internal public street A. The developer shall be required to construct all LED street lights in accordance with Escondido Standard Drawing No. E-1-E.
18. All gated entrances shall be designed and improved to the satisfaction of the City Engineer.
19. The developer shall install trash capture devices on existing storm drain inlets along the project's frontage to the satisfaction of the City Engineer.

GRADING

1. A site grading and erosion control plan prepared by a registered Civil Engineer shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by a digital copy of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.
2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.
3. Cut and fill slope setbacks shall be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.
4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

5. A Construction General Permit is required from the State Water Resources Control Board for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of one or more acres.
6. Lot drainage shall meet the requirements of current Escondido Design Standards, to the satisfaction of the City Engineer, and shall include the construction of necessary brow ditches.
7. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.
8. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.
9. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retaining wall design is in conformance with the recommendations and specifications as outlined in their report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by the Regional or City Standard Drawings. The cost of any independent third-party review deemed necessary by the City Engineer shall be reimbursed by the developer. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Department plan review and permit process.
10. Trash enclosures shall be constructed to comply with storm water quality management requirements to the satisfaction of the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the Engineer of Work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains shall be that of the home owner's association. Provisions stating this required maintenance shall be included in the CC&R'S.
3. The project shall limit drainage flows to their pre-construction rates. Details and calculations for the detention basin shall be submitted and approved as part of the grading plan check.
4. A Storm Water Quality Management Plan (SWQMP) in compliance with the City's latest adopted Storm Water Design Manual shall be prepared for all newly created or

replaced onsite impervious areas, impervious frontage, and required offsite improvements. The SWQMP shall be submitted for approval with the final improvement and grading plans. The SWQMP shall include hydro-modification calculations, treatment calculations, post-construction storm water treatment measures, and maintenance requirements.

5. All site drainage with emphasis on the roadway, parking, and driveway areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of bio-retention areas as the primary method of storm water retention and treatment. The landscape plans will need to reflect these areas of storm water treatment.
6. Site Design and Source Control Best Management Practices (BMPs) shall be implemented to the maximum extent practicable. Downspouts from buildings shall be directed to landscaping to allow the infiltration of runoff into the ground. Where feasible, runoff from the hardscape areas shall be directed to landscaped areas to allow infiltration into the ground.
7. The developer will be required to have the current owner of the property sign, notarize, and record a Storm Water Control Facility Maintenance Agreement.

WATER SUPPLY

1. The Developer is required at their sole expense to design and construct a looped 8-inch public water main. This 8-inch water main shall connect to the existing 12" water main at the intersection of Lehner Avenue and proposed Street A and extend from this intersection down Street A, through lots 11 and 12 and into Stanley Avenue. The 8-inch water main shall be designed and constructed in accordance with the current City of Escondido Design Standards and Standard Drawings and to the satisfaction of the Utilities Engineer.
2. The existing 6-inch water main in Stanley Avenue shall be replaced with an 8-inch PVC water main from the intersection of Stanley Avenue and Ash Street approximately 185 feet in a westerly direction within Stanley Avenue to the connection point with the 8 inch water main extended from the proposed subdivision. The 8-inch water main shall be designed and constructed in accordance with the current City of Escondido Design Standards and Standard Drawings and to the satisfaction of the Utilities Engineer.
3. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshall. Fire hydrants shall connect to a minimum 8-inch water main.
4. The final locations and sizing of all required water mains, water services, fire hydrants, detector check assemblies, and other water appurtenances shall be

designed and installed to the satisfaction of the Director of Utilities and the Utilities Engineer.

5. All on-site water lines and backflow prevention devices beyond the City water meter or DCA shall be considered a private water system. The Home Owners Association shall be responsible for all maintenance of these water lines and appurtenances.
6. A 1-inch minimum water service, 1-inch water meter, and backflow prevention device shall be required for domestic water supply per City of Escondido Design Standards and Standard Drawings. Water meters and backflow prevention devices shall not be installed within a driveway apron or on private drive areas.
7. No trees or deep-rooted bushes shall be planted within 10-feet of any water mains.
8. There shall be no permanent structures located within the City's Public utility Easements.
9. Improvement plans for all proposed water mains shall be prepared by a Civil Engineer and submitted to the City of Escondido for review and approval.
10. All public water mains shall be located under asphalt or concrete pavement and not under curbs, gutters, medians or sidewalks.
11. Backflow prevention assemblies are private and should be located on private property. Backflows shall be located directly behind the public meter.
12. Any water services to be replaced, reconnected or relocated as a part of this project shall be replaced in entirety from the public water main to the public water meter to the satisfaction of the Utilities Engineer and Water Distribution Department.
13. Any fire hydrants to be replaced, reconnected or relocated as a part of this project shall be replaced in entirety from the public water main to the fire hydrant per the satisfaction of the Utilities Engineer and Water Distribution.
14. The Developer shall disconnect at the public main, all water services and fire hydrants laterals to be abandoned, to the satisfaction of the Utilities Engineer and Water Distribution Department.

SEWER

1. The Developer is required at their sole expense to design and construct an 8-inch sewer main. This 8-inch sewer main shall begin at the intersection of Lehner Avenue and the Southwest corner of the proposed subdivision. The sewer main shall follow along the Westerly and Northerly portions of open space lot A, to the center of Street A and end in the cul-de-sac of Street A.

2. The developer is required at their sole expense to design and construct the removal and replacement of a portion of the existing 10-inch sewer main in Lehner Avenue. This replacement shall be from the existing manhole at the intersection of Lehner Avenue and Saddle Place approximately 160 feet Easterly within Lehner Avenue to the intersection of Lehner Avenue and the Southwest corner of the proposed subdivision. The new 8-inch sewer main shall connect to this replaced 10-inch sewer main.
3. A private 4-inch minimum PVC sewer lateral with a standard clean-out within 18-inches of the Public Utility Easement or ROW shall be constructed for each lot and shown on the Improvement and Grading plans. Sewer laterals less than 8-inches in diameter shall connect to the sewer main with a wye or Inserta-Tee.
4. All sewer laterals shall be constructed per current City of Escondido Design Standards and Standard Drawings and per the current Uniform Plumbing Code.
5. No trees or deep-rooted bushes shall be planted within 15-feet of any sewer main or within 10-feet of any sewer lateral. Sewer laterals shall be 5-feet horizontally clear from other utilities.
6. All sewer laterals shall be considered a private sewer system. The Home Owners Association shall be responsible for all maintenance of sewer laterals to the public sewer main.
7. Any sewer mains, laterals, and appurtenances shall be designed and constructed per current City of Escondido Design Standards and Standard Drawings, and to the satisfaction of the Utilities Engineer.
8. The project design shall be such that all existing or new sewer manholes are accessible at all times by City Vector trucks for maintenance.
9. The Developer shall cap and plug at the public sewer main all sewer lines and laterals to be abandoned, to the satisfaction of the Utilities Engineer and the City Inspector.
10. The location of all sewer laterals shall be shown on the grading and improvement plans.

LANDSCAPE

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the second submittal of the grading plan. The initial submittal of the landscape plans shall include the required plan check fees in effect at the time of the submittal.

- 2. Permanent landscaping shall be installed along the project frontage and all areas disturbed by the project (including offsite areas). The landscaping, including storm water treatment BMPs, shall be maintained by Home Owners Association. Provisions stating this shall be included in the CC&Rs.

FINAL MAP - EASEMENTS AND DEDICATIONS

- 1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET	CLASSIFICATION
North Ash Street	Local Collector (66/42)
Stanley Avenue	Local Collector (66/42)
Lehner Avenue	Residential Street (56/36)

- 2. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.
- 3. Necessary public utility easements for sewer, water, storm drain, etc. shall be granted to the City on the Final Map. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
- 4. Vehicular access rights to all lots fronting on Major roads and Prime Arterials shall be relinquished and waived to the City of Escondido.
- 5. The developer is responsible for making the arrangements to quitclaim all easements of record which conflict with the proposed development prior to approval of the Final Map. All street vacations shall be accomplished by means of a separate public hearing. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed. The initial submittal of the plat and legal shall include the required Street Vacation fee in effect at the time of the submittal.

REPAYMENTS AND FEES

- 1. This parcel is located within the North Broadway deficiency area. It is subject to annexation which will require a development agreement. The agreement will include payment of its fair share contribution to the deficiency area.

2. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public or private property and improvements, install new BMPs, and stabilize and/or close-up a non-responsive or abandoned project. Any moneys used by the City for cleanup or damage will be drawn from this security and the grading permit will be revoked by written notice to the developer until the required cash security is replaced. The cleanup cash security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, landscaping, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
3. This subdivision is contiguous to the facilities of another public agency. This agency may be required to review and/or sign the improvement plans. It will be the responsibility of the developer to establish an account with this agency to pay for all fees for plan checking and permit approval.
4. The developer shall be required to pay all development fees of the City in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&R's

1. Copies of the CC&R's shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.
2. The developer shall make provisions in the CC&R's for maintenance by the homeowners' association of the driveways, parking areas, drainage swales, private street lighting, storm drains and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.
3. The developer shall make provisions in the CC&R's for maintenance, repair and access to all brow ditches which pass from one lot through an adjacent lot. Copies of an approved wording and format for this section of the CC&R's may be obtained from the Engineering Department.
4. The CC&R's must state that the property owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.
5. The CC&Rs shall reference the recorded Storm Water Control Facility Maintenance Agreement and the approved Storm Water Quality Management Plan (SWQMP) for the project.

UTILITY CONSTRUCTION

1. The developer shall sign a written agreement stating that he/she has made all such arrangements as may be necessary to coordinate and provide utility construction. All new utilities shall be constructed underground.

Exhibit “F”
Final IS/MND
PL22-0134 and PL22-0154

Due to the number of pages of Exhibit “F”, a link has been provided to review the document electronically on the City’s website at:

<https://www.escondido.org/ash-st-residential-subdivision-and-annexation>



STAFF REPORT

May 23, 2023

PL23-0061 – Comprehensive Sign Ordinance Update

PROJECT NUMBER / NAME: PL23-0061 – Comprehensive Sign Ordinance Update

REQUEST: A request for the Planning Commission to form a subcommittee to meet and discuss the City's comprehensive update to Article 66 ("Sign Ordinance").

PROPERTY SIZE AND LOCATION: Citywide

APPLICANT: Development Services Department

GENERAL PLAN / ZONING: N/A

PRIMARY REPRESENTATIVE: Ivan Flores, AICP
Associate Planner

DISCRETIONARY ACTIONS REQUESTED: N/A

PREVIOUS ACTIONS: Planning Commission adopted Resolution No. 2022-04 approving the 2022 – 2023 Planning Commission Work Plan which included a comprehensive update to Article 66.

PROJECT PLANNER: Ivan Flores, Associate Planner

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines Section 15378 (b)(5)

STAFF RECOMMENDATION: Appoint a subcommittee to discuss Sign Ordinance Update.

REQUESTED ACTION: Establish a subcommittee of no more than three Planning Commissioners to discuss the sign ordinance update.

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS:

- Andrew Firestine, Director of Development Services
- Adam Finestone, City Planner



CITY *of* ESCONDIDO

STAFF REPORT

BACKGROUND

The 2022/2023 Planning Commission Work Plan identifies a range of policies to be considered through its two-year horizon, and includes a comprehensive update to Article 66 (Sign Ordinance) of the Escondido Zoning Code.

SUMMARY OF REQUEST

The Comprehensive Sign Ordinance Update is being undertaken in order to address first amendment rights and standards for signage. The substantive changes contemplated to the sign ordinance would likely require Article 66 to be repealed and replaced in-full.

Establishment of sign regulations is within the purview of the Planning Commission, which acts as an advisory body to the City Council. Staff is requesting that the Planning Commission establish a subcommittee comprised of two or three commissioners to meet with staff over the course of a month to discuss potential changes to the sign ordinance.

ENVIROMENTAL STATUS

The primary purpose of this agenda item is to create a subcommittee to discuss the sign ordinance update. The content of this agenda report is provided for informational purposes only, and is “not a project” under the California Environmental Quality Act (“CEQA”), pursuant to CEQA Guidelines section 15378(b)(5), which excludes from the definition of “project” “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.”

CONCLUSION AND RECOMMENDATION

Staff recommends that the Planning Commission form a subcommittee comprised of two or three commissioners to meet during business hours (8:00 AM – 5:00 PM) to discuss the proposed sign ordinance update.



STAFF REPORT

DATE: May 23, 2023

PL23-0213 – 2023/2024 Planning Division Workplan

PROJECT NUMBER / NAME: PL23-0213 – 2023/2024 Planning Division Workplan

REQUEST: Review draft 2023/2024 Planning Division Workplan

PROPERTY SIZE AND LOCATION: N/A

APPLICANT: Development Services Department

GENERAL PLAN / ZONING: XXXXX

PRIMARY REPRESENTATIVE: Adam Finestone, AICP
City Planner

DISCRETIONARY ACTIONS REQUESTED: N/A

PREVIOUS ACTIONS: The Planning Commission adopted the 2022/2023 Planning Commission Workplan on July 12, 2022.

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines section 15378(b)(5).

STAFF RECOMMENDATION: None

REQUESTED ACTION: Receive and file

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS: _____ Andrew Firestine, Director of Development Services

Adam Finestone, City Planner



CITY of ESCONDIDO

STAFF REPORT

BACKGROUND

In April 2021 the Planning Commission directed staff to initiate the preparation of an annual Planning Commission Workplan. The workplan provides a list of policy-related tasks to be undertaken by Planning Division staff that require action by the Planning Commission, typically in an advisory role to City Council. The workplan presents a two-year outlook on policy work, and is updated on an annual basis.

SUMMARY OF REQUEST

The 2023/2024 workplan is intended to identify expectations on timeline, interim milestones, budget resources, and specific deliverables over the coming two years related to policy work within the Planning Commission’s purview. City staff has prepared the 2023/2024 Workplan utilizing last year’s Workplan and known City Council priorities as data sources. This year’s workplan is being presented as the “Planning Division Workplan” in order to more accurately reflect the fact that the tasks identified are being undertaken by Planning Division staff for presentation to, and consideration by, the Planning Commission, rather than the Planning Commission being tasked with completing the work. No action on the Workplan itself is being requested of the Planning Commission, however action will be requested on the various tasks at future dates.

SUPPLEMENTAL DETAILS OF REQUEST

The Escondido Planning Commission was established pursuant to Escondido Municipal Code section 20-1. The Planning Commission serves in an advisory capacity to the City Council on land use policy planning matters, which guide the future development of the City. The Planning Commission has final approval authority on certain cases and recommends action to the City Council on others. Among other responsibilities, the Planning Commission assists the City Council in the creation of policies and ordinances that implement the General Plan, such as amendments to the Zoning Code, the adoption of new code sections, and changes to the existing zoning text and maps.

As new Planning Commissioners are appointed, it has become clear that the Workplan can be misconstrued to mean that the tasks on it are to be undertaken by the Planning Commission. Instead, the tasks are actually undertaken by Planning Division staff and presented to the Planning Commission for input and/or consideration. As such, the new title for the Workplan (“Planning Division Workplan”) provides clarity to the roles and responsibilities of both the Planning Commission and Planning Division staff. (Actions required by the Planning Commission are identified in the “Planning Commission Role” column at the right side of the Workplan table.) Staff sees the Workplan as a valuable tool to inform the Planning Commission and the general public of the current status of policy-related work efforts.

PROJECT ANALYSIS

The Workplan provides an opportunity for the City Council to evaluate and ensure continuous improvement to the City’s land use and regulatory framework. To this end, it is relevant and important to identify the progress made over the preceding 12 months, in addition to updating the Workplan to address changes in circumstances, priorities, and statutory requirements.

1. Prior Year Accomplishments



CITY of ESCONDIDO

STAFF REPORT

Item 4.

The Planning Commission fully addressed the following four tasks from the 2022/2023 Workplan:

- Senate Bill 9 (SB 9) Implementing Ordinance
- Housing Element Update (pending HCD certification)
- Business Recovery Ordinance
- Grape Day Park Master Plan

Additionally, the annual Omnibus Zoning Code Amendment and Annual Progress Reports were completed over the past year but remain on the Workplan as a result of their recurring nature. Other Workplan tasks are either in process or have not yet commenced. Attachment “1” to this staff report identifies progress and accomplishments made over the past year.

2. Current Year Tasks

The 2023/2024 Workplan, included as Attachment “2” to this report, identifies 12 specific policy-related tasks intended to be undertaken by Planning Division staff over the next two years. Several are currently underway, while others have not yet commenced. As noted above, two tasks are recurring (Annual Omnibus Code Clean-Up and Annual Progress Reports) and will remain on the Workplan for the foreseeable future. Two other tasks are ongoing (Climate Action Plan and Housing Element implementation), and you will note that several of the tasks shown on prior years’ Workplans have been placed under these two tasks. Additionally, two new tasks have been added to the Workplan (Urban Forestry Management Plan and Affordable Housing Trust Fund).

Tasks are prioritized based on estimated completion dates found in the *Status and Program Timeline* column. Additionally, it should be noted that several items that were on prior years’ Workplans have been moved to a list of Potential Future Workplan Tasks because it is not likely that work will be significantly under way on those items within the two-year horizon for the Workplan. Those items may be re-introduced into the Workplan in future years.

Please also note that this Workplan is based on a best-case scenario assumption and serves as a guidance document. Staff’s goal is to complete the Workplan tasks as scheduled, however staffing capacity along with responsiveness to changing priorities makes this unlikely.

FISCAL ANALYSIS

There are no direct fiscal impacts associated with this item. Many of the Workplan tasks are intended to be completed by Planning Division staff, with funding incorporated into the existing Development Services Department budget. Implementation of other Workplan tasks requires additional resources, much of which has been allocated. Potential funding sources have been identified for the remaining Workplan tasks for which funding has not yet been allocated. City Council authorization will be needed for those tasks item.

ENVIRONMENTAL ANALYSIS

The primary purpose of this agenda item is to prepare an annual workplan. The content of this agenda report is provided for informational purposes only, and is “not a project” under the California Environmental Quality Act (“CEQA”), pursuant to CEQA Guidelines section 15378(b)(5), which excludes from the definition of “project” “[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.”



CITY of ESCONDIDO

STAFF REPORT

Item 4.

PUBLIC INPUT

None

CONCLUSION AND RECOMMENDATION

Receive and file.

ATTACHMENTS

1. 2022/2023 Planning Commission Workplan Accomplishments
2. 2023/2024 Planning Division Workplan

ATTACHMENT 1

2022/2023 Planning Commission Work Plan
Accomplishments

The following table details the status of items from the 2022/2023 Planning Commission Work Plan. Text in red denotes progress made.

Section 1. Ongoing or Recurring Work Plan Elements

1. Education. Provide support for Commissioners through on-going training and learning opportunities to enable more informed decision-making.
 - Registration for in-state travel to professional trade conferences (i.e. League of California Cities and/or APA)*;
 - Registration for professional trade webinars (ULI, APA, AEP, etc.) and/or relevant web castings*; and/or
 - Provide staff-facilitated presentations.

** Training and learning opportunities involving “for-fee” registrations will be made available to Commission members on a rolling basis, starting with the newest members first. The number of registrations will be established by the Department budget, which is subject to change from time to time.*

2. Director’s report. Provide a report from the City Planner or Director of Community Development at the end of each Commission meeting to identify upcoming agenda items.

Section 2. Current Work Plan Elements

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
1	Senate Bill 9 (SB 9)	Amendments to the Municipal and Zoning Codes related to two-family developments and urban lot splits	Zoning Code Amendment(s)	N/A	No	No	<ul style="list-style-type: none"> • In development • Timeline 4 to 6 months • Est. Summer 2022 <p>COMPLETE</p>	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
2	Housing Element Update	Update of the City’s goals, policies, and programs to promote the maintenance, improvement, and development of housing opportunities	General Plan Amendment	Yes	Yes	No	<ul style="list-style-type: none"> • In development • Timeline: 14 to 18 months • Est. Fall 2022 <p>COMPLETE (Pending HCD certification)</p>	\$118,000 plus EIR costs	Yes	<ul style="list-style-type: none"> • Informational study sessions • Public Hearing(s) • Advisory to City Council
3	Business Recovery Ordinance	Evaluate the City’s regulatory business relief measures and determine if any measures should be effective on a more permanent basis	Zoning Code Amendment(s) <u>or</u> Specific Plan Amendment(s)	Yes	No	No	<ul style="list-style-type: none"> • In development • Timeline: 3 to 4 months • Est. Fall/Winter 2022 <p>COMPLETE</p>	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
4	Annual Omnibus Code Clean-Up	Amendments to various sections of the Municipal and Zoning Codes to address recent changes in State law,	Zoning Code Amendment(s)	Yes	Yes	No	<ul style="list-style-type: none"> • In development • Timelines: 4 to 6 months 	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council

		to provide clarity in our regulations, and to correct errors										<ul style="list-style-type: none"> • Est. Winter 2022 COMPLETE
5	East Valley Specific Plan	New rezoning program to accommodate future housing needs and the appropriate densities	Specific Plan adoption	Yes	Yes	No	<ul style="list-style-type: none"> • In development • Timeline: 14 to 18 months • Est. Winter/Spring Summer 2023 	\$147,000 plus EIR costs	Yes		<ul style="list-style-type: none"> • Informational study sessions • Public Hearing(s) • Advisory to City Council 	
6	Annual Progress Reports for 2022	Annual report of General Plan, Housing Element, and Climate Action Plan implementation	Informational reports	N/A	Yes	Yes	<ul style="list-style-type: none"> • Not initiated • Timeline: 2 to 3 months • Est. Winter/Spring 2023 COMPLETE 	None	N/A		<ul style="list-style-type: none"> • Discussion • Receive and file 	
7	2022 General Plan Amendment	Create a General Plan environmental justice element and update the safety element (Community Protection chapter).	General Plan Amendments	Yes	Yes	Yes	<ul style="list-style-type: none"> • In development • Timeline: 12 to 18 months • Est. Spring/Summer 2023 Winter 2024 	\$200,000 \$29,750	Yes		<ul style="list-style-type: none"> • Informational study sessions • Public Hearing(s) • Advisory to City Council 	
8	Grape Day Park Master Plan	Complete a comprehensive update to the draft Grape Day Park Master Plan which was endorsed by the City Council in 2015 but not formally adopted.	Park Master Plan	Yes	No	No	<ul style="list-style-type: none"> • In development • Timeline: 9 to 12 months • Est. Spring/Summer 2023 COMPLETE 	TBD upon consultant selection	Yes		<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council 	
9	EV Parking Ordinance	Adopt standards for EV charging stations in new multi-family and commercial developments and in single-family model homes	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> • Not initiated • Timeline: 3 to 4 months • Est. Spring/Summer 2023 Deferred 	None	N/A		<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council 	
10	Alternatively-Fueled Water Heater Ordinance	Amendment to the local Building Code (Chapter 6 of the Municipal Code) to require the installation of electric water heaters in new residential developments and significant remodels	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> • Not initiated • Timeline: 3 to 4 months • Est. Spring/Summer 2023 Deferred 	None	N/A		<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council 	
11	Electric Cooking Appliance Ordinance	Amendment to the local Building Code (Chapter 6 of the Municipal Code) to require electric cooking appliances in all new multi-family development and significant remodels	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> • Not initiated • Timeline: 3 to 4 months • Est. Spring/Summer 2023 Deferred 	None	N/A		<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council 	

12	Net Zero Energy Reach Ordinance	Amendment to the local Building Code (Chapter 6 of the Municipal Code) to require all new non-residential development to achieve net zero energy	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> Not initiated Timeline: 3 to 4 months Est. Spring/Summer 2023 Deferred 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
13	Comprehensive Sign Ordinance Update	Amendment to Article 66 of the Zoning Code to resolve conflicts with first amendment rights and standards for signage	Zoning Code Amendment	No	Yes	No	<ul style="list-style-type: none"> Not initiated Timeline: 6 to 9 months Est. Summer/Fall 2023 	None	N/A	<ul style="list-style-type: none"> Subcommittee study session(s) Public Hearing(s) Advisory to City Council
14	TDM Ordinance	Amendments to the Zoning Code to require transportation demand management practices in new non-residential developments.	Zoning Code Amendment(s)	N/A	No	Yes	<ul style="list-style-type: none"> Not initiated Timeline: 6 to 8 months Est. Summer/Fall 2023 Deferred 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
15	Pre-Approved ADU Plans	Develop sets of pre-approved floor plans to help incentivize new accessory dwelling unit production	Special study	Yes	No	No	<ul style="list-style-type: none"> Not initiated In Process Timeline: 12 to 18 months Est. Fall 2023 Winter 2024 	\$70,000 to \$100,000	Yes	<ul style="list-style-type: none"> Discussion Receive and file
16	Landscape Ordinance Update	Amendment to Article 62 of the Zoning Code to reduce water consumption, to install greywater and rain barrel systems in new single-family homes and to create new landscaping standards as required by the CAP, such as cool roofs on multi-family projects	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> Not initiated In Process Timeline 8 to 12 months Est. Fall/Winter 2023 Winter 2024 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
17	Open Space Standards Review and Ordinance Update	Evaluate the open space standards in the downtown specific plan and develop recommendations to right-size the requirements and incorporate new strategies to incorporate green space in new projects	Special study and Specific Plan Amendment	Yes	No	No	<ul style="list-style-type: none"> Not initiated In Process Timeline: 12 to 16 months Est. Fall/Winter 2023 Fall 2024 	\$40,000 to \$60,000	Yes	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
18	Downtown Parking Study and Ordinance Update	Develop a parking management plan and update off-street parking standards in the downtown area	Special study and Specific Plan Amendment	Yes	No	Yes	<ul style="list-style-type: none"> Not initiated In Process Timeline: 16 to 24 months Est. Winter/Spring 2024 Fall 2024 	\$75,000 to \$125,000	Yes	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council

19	By-Right Approvals for Affordable Housing Projects	Amendment to the Zoning Code to require by-right approval of housing projects that includes 20% affordable housing units on sites included in the 6 th cycle Housing Element sites inventory.	Zoning Code Amendment			No	<ul style="list-style-type: none"> Not initiated Timeline: 3 to 6 months Est. Spring 2024 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
20	Objective Design Standards	Amendment to Zoning Code and specific plans to incorporate objective design standards for multi-family residential development projects	Zoning Code Amendment and Specific Plan Amendments	No	Yes	No	<ul style="list-style-type: none"> Not initiated Timeline: 3 to 6 months Est. Spring 2024 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
21	Active Transportation Plan ("ATP")	Prepare a multi-modal infrastructure analysis and plan for implementation	Special study	Yes	No	Yes	<ul style="list-style-type: none"> Not initiated In Process Timeline: 12 to 18 months Est. Fall/Winter 2023 Winter 2025 	\$275,000	Yes	<ul style="list-style-type: none"> Informal study session(s) <i>Commission action is not required on the ATP</i>
22	Climate Action Plan Implementation	Undertake a variety of actions necessary for implementation of the Climate Action Plan	Municipal and Zoning Code Amendments, General Plan Amendments, Specific Plan Amendments, Special Studies, Informational Reports	Yes	Partially	Yes	<ul style="list-style-type: none"> Ongoing 	Varies	Partially	<ul style="list-style-type: none"> Informational study session(s) Public Hearing(s) Discussion Other Advisory to City Council
23	Housing Element Implementation	Undertake a variety of actions necessary for implementation of the Sixth cycle Housing Element	Municipal and Zoning Code Amendments, General Plan Amendments, Specific Plan Amendments, Special Studies, Informational Reports	Yes	Yes	Partially	<ul style="list-style-type: none"> Ongoing 	Varies	Partially	<ul style="list-style-type: none"> Informational study session(s) Public Hearing(s) Discussion Other Advisory to City Council

Section 3. Potential Future Work Plan Elements

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
	Comprehensive Nonconforming Ordinance Update	Amendment to Article 61 of the Zoning Code to update the standards and requirements for nonconforming uses and structures	Zoning Code Amendment	No	No	No	<ul style="list-style-type: none"> On hold 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
	Building and Permit Processing Guide	Collateral material and marketing material overview of City development services and how to process land use development projects	Informational report	No	No	No	<ul style="list-style-type: none"> On hold 	None	N/A	<ul style="list-style-type: none"> Discussion Receive and file
	Communications and Outreach Strategy	Discuss issues and opportunities community awareness and engagement strategies and identify more effective and efficient ways to get information out to the public	Discussion item	No	No	No	<ul style="list-style-type: none"> On hold 	None	N/A	<ul style="list-style-type: none"> Discussion

ATTACHMENT 2

**2023/2024 Planning Division Workplan
(Two-year horizon)**

Section 1. General Workplan Elements

1. Education. Provide support for Commissioners through on-going training and learning opportunities to enable more informed decision-making.
 - Registration for in-state travel to professional trade conferences (i.e. League of California Cities and/or APA)*;
 - Registration for professional trade webinars (ULI, APA, AEP, etc.) and/or relevant web castings*; and/or
 - Provide staff-facilitated presentations.

** Training and learning opportunities involving “for-fee” registrations will be made available to Commission members on a rolling basis, starting with the newest members first. The number of registrations will be established by the Department budget, which is subject to change from time to time.*

2. Director’s report. Provide a report from the City Planner or Director of Community Development at the end of each Commission meeting to identify upcoming agenda items.

Section 2. Current Workplan Elements

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
1	East Valley Specific Plan	New rezoning program to accommodate future housing needs and the appropriate densities	Specific Plan adoption	Yes	Yes	No	<ul style="list-style-type: none"> • In development • Timeline: 14 to 18 months • Est. Summer 2023 	\$147,000 plus EIR costs	Yes	<ul style="list-style-type: none"> • Informational study sessions • Public Hearing(s) • Advisory to City Council
2	Comprehensive Sign Ordinance Update	Amendment to Article 66 of the Zoning Code to resolve conflicts with first amendment rights and standards for signage	Zoning Code Amendment	No	Yes	No	<ul style="list-style-type: none"> • Not initiated • Timeline: 6 to 9 months • Est. Fall 2023 	None	N/A	<ul style="list-style-type: none"> • Subcommittee study session(s) • Public Hearing(s) • Advisory to City Council
3	2022 General Plan Amendment	Create a General Plan environmental justice element and update the safety element (Community Protection chapter).	General Plan Amendments	Yes	Yes	Yes	<ul style="list-style-type: none"> • In development • Timeline: 12 to 18 months • Est. Winter 2024 	\$29,750	Yes	<ul style="list-style-type: none"> • Informational study sessions • Public Hearing(s) • Advisory to City Council
4	Pre-Approved ADU Plans	Develop sets of pre-approved floor plans to help incentivize new accessory dwelling unit production	Special study	Yes	No	No	<ul style="list-style-type: none"> • In Process • Timeline: 12 to 18 months • Est. Winter 2024 	\$70,000 to \$100,000	Yes (LEAP Grant)	<ul style="list-style-type: none"> • Informational study session(s)
5	Landscape Ordinance Update	Amendment to Article 62 of the Zoning Code to reduce water consumption, to install greywater and rain barrel systems in new single-family homes and to create	Municipal Code and Zoning Code Amendments	N/A	No	Yes	<ul style="list-style-type: none"> • In process • Timeline 8 to 12 months • Est. Winter 2024 	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council

		new landscaping standards as required by the CAP, such as cool roofs on multi-family projects								
6	By-Right Approvals for Affordable Housing Projects	Amendment to the Zoning Code to require by-right approval of housing projects that includes 20% affordable housing units on sites included in the 6 th cycle Housing Element sites inventory.	Zoning Code Amendment	No	Yes	No	<ul style="list-style-type: none"> • Not initiated • Timeline: 3 to 6 months • Est. Spring 2024 	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
7	Objective Design Standards	Amendment to Zoning Code and specific plans to incorporate objective design standards for multi-family residential development projects	Zoning Code Amendment and Specific Plan Amendments	No	Yes	No	<ul style="list-style-type: none"> • Not initiated • Timeline: 3 to 6 months • Est. Spring 2024 	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
8	Open Space Standards Review and Ordinance Update	Evaluate the open space standards in the downtown specific plan and develop recommendations to right-size the requirements and incorporate new strategies to incorporate green space in new projects	Special study and Specific Plan Amendment	Yes	No	No	<ul style="list-style-type: none"> • In Process • Timeline: 12 to 16 months • Est. Fall 2024 	\$40,000 to \$60,000	Yes (LEAP Grant)	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
9	Downtown Parking Study and Ordinance Update	Develop a parking management plan and update off-street parking standards in the downtown area	Special study and Specific Plan Amendment	Yes	No	Yes	<ul style="list-style-type: none"> • In Process • Timeline: 16 to 24 months • Est. Fall 2024 	\$75,000 to \$125,000	Yes (LEAP Grant)	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
10	Active Transportation Plan ("ATP")	Prepare a multi-modal infrastructure analysis and plan for implementation	Special study	Yes	No	Yes	<ul style="list-style-type: none"> • In Process • Timeline: 12 to 18 months • Est. Winter 2025 	\$275,000	Yes	<ul style="list-style-type: none"> • Informational study session(s)
11	Affordable Housing Trust Fund ("AHTF")	Establish an AHTF to assist in delivery of affordable housing (lower and middle incomes) within the EVSP.	Special study and Zoning Code Amendments.	Yes	No	No	<ul style="list-style-type: none"> • Not initiated • Timeline: 18 months (from EVSP adoption) • Est. Winter 2025 	TBD	TBD (Potential REAP 2.0 Grant funding)	<ul style="list-style-type: none"> • Informational study session(s)
12	Urban Forestry Management Plan ("UFMP")	Develop, adopt, and implement an UFMP to plant new trees, track plantings and maintenance in public areas.	Special study and Zoning Code Amendments.	No	No	Yes	<ul style="list-style-type: none"> • Not initiated • Timeline: 24 months • Est. Fall 2025 	Est. \$600,000	TBD (Potential USDA grant funding)	<ul style="list-style-type: none"> • Informational study session(s)

Section 3. Recurring Workplan Elements

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
	Annual Omnibus Code Clean-Up	Amendments to various sections of the Municipal and Zoning Codes to address recent changes in State law, to provide clarity in our regulations, and to correct errors	Zoning Code Amendment(s)	Yes	Yes	No	<ul style="list-style-type: none"> • Not initiated • Timelines: 4 to 6 months • Est. Winter 2024 	None	N/A	<ul style="list-style-type: none"> • Public Hearing(s) • Advisory to City Council
	Annual Progress Reports for 2023	Annual report of General Plan, Housing Element, and Climate Action Plan implementation	Informational reports	N/A	Yes	Yes	<ul style="list-style-type: none"> • Not initiated • Timeline: 2 to 3 months • Est. Spring 2024 	None	N/A	<ul style="list-style-type: none"> • Receive and file

Section 4. Ongoing Workplan Elements

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
	Climate Action Plan Implementation	Undertake a variety of actions necessary for implementation of the Climate Action Plan including (but not limited to): <ul style="list-style-type: none"> • EV Parking Ordinance • Alternatively-Fueled Water Heater Ordinance • Electric Cooking Appliance Ordinance • Net Zero Energy Reach Ordinance • TDM Ordinance 	Municipal and Zoning Code Amendments, General Plan Amendments, Specific Plan Amendments, Special Studies, Informational Reports	Yes	Partially	Yes	Ongoing	Varies	Partially	<ul style="list-style-type: none"> • Informational study session(s) • Public Hearing(s) • Advisory to City Council
	Housing Element Implementation	Undertake a variety of actions necessary for implementation of the 6 th cycle Housing Element including (but not limited to): <ul style="list-style-type: none"> • SB 35 Process Ordinance (Program 1.7) • SB 1087 Process Ordinance (priority water and sewer for affordable housing) (Program 1.7) • Special Needs Housing Ordinances (Program 2.7) 	Municipal and Zoning Code Amendments, General Plan Amendments, Specific Plan Amendments, Special Studies, Informational Reports	Yes	Yes	Partially	Ongoing	Varies	Partially	<ul style="list-style-type: none"> • Informational study session(s) • Public Hearing(s) • Advisory to City Council

Section 5. Potential Future Work Plan Elements

	Project Name	Brief Description	Deliverable	Council Authorized (Y/N)	State Mandate (Y/N)	CAP Related Implementation (Y/N)	Status and Program Timeline	Budget Required	Funded (Y/N)	Planning Commission Role
	Comprehensive Nonconforming Ordinance Update	Amendment to Article 61 of the Zoning Code to update the standards and requirements for nonconforming uses and structures	Zoning Code Amendment	No	No	No	<ul style="list-style-type: none"> On hold 	None	N/A	<ul style="list-style-type: none"> Public Hearing(s) Advisory to City Council
	Building and Permit Processing Guide	Collateral material and marketing material overview of City development services and how to process land use development projects	Informational report	No	No	No	<ul style="list-style-type: none"> On hold 	None	N/A	<ul style="list-style-type: none"> Receive and file
	Communications and Outreach Strategy	Discuss issues and opportunities community awareness and engagement strategies and identify more effective and efficient ways to get information out to the public	Discussion item	No	No	No	<ul style="list-style-type: none"> On hold 	None	N/A	<ul style="list-style-type: none"> Informational study session(s)



STAFF REPORT

DATE: May 23, 2023
Building Advisory Board of Appeals

PROJECT NUMBER / NAME: Building Advisory Board of Appeals

REQUEST: Discussion related to the Building Advisory Board of Appeals

PROPERTY SIZE AND LOCATION: N/A

APPLICANT: N/A

GENERAL PLAN / ZONING: N/A

PRIMARY REPRESENTATIVE: N/A

DISCRETIONARY ACTIONS REQUESTED: N/A

PREVIOUS ACTIONS: On April 25, 2023, Commissioner Speer requested, and Commissioner Mecaro concurred, that the Commission discuss the Building Advisory Board of Appeals at a future meeting.

CEQA RECOMMENDATION: Not a project under CEQA, pursuant to CEQA Guidelines section 15378(b)(5).

STAFF RECOMMENDATION: None

REQUESTED ACTION: None

CITY COUNCIL HEARING REQUIRED: YES NO

REPORT APPROVALS: Andrew Firestine, Director of Development Services

Adam Finestone, City Planner



CITY of ESCONDIDO

STAFF REPORT

Agenda Item No. 6

May 23, 2023

Tentative Future Agenda Items

DATE: May 23, 2023
TO: Planning Commissioners
FROM: Adam Finestone, City Planner
SUBJECT: Tentative Future Agenda Items

The items listed below are anticipated to be brought to the Planning Commission for consideration, discussion, and/or recommendation to the City Council over the next several months. Because there are factors out of City staff's control, this list is subject to change. The intent is to provide visibility regarding projects that the Commission should expect to see in the near future. (Items are listed in no particular order.)

Additionally, these items shall not be considered to be agenda items for this meeting so no discussion is permitted other than clarification of what the item is.

Private Development Projects:

- Bear Valley Parkway Wireless Facility
- Christ Community Reform Church (additional classroom space)
- In-n-Out / Coffee Bean & Tea Leaf
- Goal Line Energy (battery storage facility)

Policy Work:

- East Valley Specific Plan
- Downtown Specific Plan Amendment – Land Use Matrix
- Sign Ordinance Update

Informational Presentations:

- Community Facilities Districts
- North County Mall
- Comprehensive Economic Development Strategy